

**SOCIALIST REPUBLIC OF VIETNAM
MINISTRY OF TRANSPORT
PROJECT MANAGEMENT UNIT No.1**

CENTRAL REGION TRANSPORT NETWORK PROJECT (ADB5)

**Khanh Hoa
UPDATED RESETTLEMENT PLAN**

August, 2009 (rev09)

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Abbreviations and Acronyms

ADB	Asian Development Bank
AHH	Affected Heads of Household
AP	Affected Person
COI	Corridor of Impact
DMS	Detailed Measurement Survey
CRTNP	Central Region Transport Network Project
DRCC	Development Research and Consultancy Centre
EMDP	Ethnic Minority Development Plan
GOV	Government of Viet Nam
HH	Households
HHH	Head(s) of Households
IMA	Independent Monitoring Agency
ISA	Initial Social Assessment
Km	Kilometre
LURC	Land Use Rights Certificate
MOLISA	Ministry of Labour, Invalid and Social Affairs
MOT	Ministry of Transport
PDOT	Provincial Department of Transport
PMU1	Project Management Unit No. 1
PMU1M	Project Management Unit No. 1 Middle Region
PPMU	Provincial Project Management Unit
Project	Viet Nam Central Region Transport Network Project
PSC	Project Supervision Consultants
PPC/DPC/CPC	Provincial/District/Commune People's Committees
DRC	District Resettlement Committees
RC	Resettlement Committee
RP	Resettlement Plan
ROW	Right-of-Way
SES	Socio-Economic Survey

Definition

Affected person (AP)	- means any person, household, firm or private institution who, on account of changes resulting from the Project, or any of its phases or sub-projects, will have its (i) standard of living adversely affected; (ii) right, title or interest in any house, land (including residential, commercial, agricultural, forest, salt mining and/or grazing land), water resources or any other moveable or fixed assets acquired, possessed, restricted or otherwise adversely affected, in full or in part, permanently or temporarily; and/or (iii) business, occupation, place of work or residence or habitat adversely affected, with or without displacement.
Affected Household (AH)	In the case of <u>affected household</u> , it includes all members residing under one roof and operating as a single economic unit, who are adversely affected by a project or any of its components.
Common property resources	- mean all resources or assets that are held in communal or village ownership and include (but are not limited to) graves, burial grounds, wells, hand pumps and other affected drinking water sources, specimen trees, pagodas, churches and temples, shrines, religious symbols or sites, village ponds or community fishponds, schools, markets, community forest, community grazing land, irrigation canals and facilities, roads, paths, water supply lines and facilities, electricity lines and poles, and communication lines.
Compensation	- means payment in cash or in kind to replace losses of land, housing, income and other assets caused by the Project.
Cut-off date	- means the date of completion of the Detailed Measurement Survey (DMS) for each sub-project, and establishes the eligibility for compensation for physical assets affected by a sub-project of the Project. Affected people and local communities will be informed of the cut-off date for each sub-project. People moving into the area impacted upon by the sub-project after the cut-off date will not be entitled to compensation and assistance under the Project.
Detailed Measurement Survey (DMS)	- With the aid of the approved detailed engineering design, this activity involves the finalization and/or validation of the results of the inventory of losses (IOL), severity of impacts, and list of APs earlier done during RP preparation. The final cost of resettlement can be determined following completion of the DMS.
Rehabilitation	- means assistance measures provided under this Policy Framework other than compensation for acquired assets, and refers to the process of re-establishing incomes, livelihoods and living and social systems.
Relocation	- means rebuilding housing assets, including productive land and public infrastructures in another location.
Replacement Cost	- means the method of valuing assets at current market value, or its nearest equivalent, plus any transaction costs such as administrative charges, taxes, registration and titling costs. In the absence of land markets, the Provincial People's Committee will establish a compensation structure that enables APs to restore their livelihoods to levels equivalent to or better than those maintained at the time of land acquisition and/or resettlement. <ul style="list-style-type: none"> (i) Agricultural land: The replacement value of agricultural land will be based on a) its productive potential or, where applicable, the current market value of the land; plus b) the cost of preparing the land to levels similar to those of the affected land; and, c) the costs of any registration and transfer taxes. (ii) Residential and non-agricultural land: The replacement value equals a) the current market value of land of equal size and use, with similar or improved public infrastructure and services in the vicinity of the affected land; and b) the costs of any registration and transfer taxes. (iii) Houses and other structures: The replacement value equals a) the current fair market prices for new building materials and labour to build a replacement structure with an area and quality similar to or better than the affected structure, or to repair a partially affected structure; plus b) the costs of transporting building materials to the construction

	<p>site; c) the costs of any labour or contractors' fees; and, d) the costs of any registration and transfer taxes. In determining the replacement value of structures, no deductions are to be made for a) depreciation of the asset; b) the value of salvage materials; or, c) the value of benefits to be derived from the project.</p> <p>(iv) Annual crops: The replacement value for annual crops is equivalent to the average production over the last three years multiplied by the current market prices for agricultural products at the time of compensation.</p> <p>(v) Perennial plants and trees: The replacement value for perennial plants and trees is equivalent to current market prices given the type, age and productive value of the plants and/or trees.</p> <p>(vi) Other assets (community, cultural, aesthetic): Compensation will be calculated on the basis of the current market costs at time of compensation for repairing and/or replacing assets; or, the costs of mitigation measures. For example, compensation for the relocation of a gravesite will include all expenditures for excavation and construction of a new grave of similar type; exhumation and transport of remains to new grave; and, other reasonable costs.</p>
Resettlement effects	- mean all negative situations directly caused by the Project, or any of its phases or sub-projects, including loss of land, structures, trees and crops, other immovable properties, income generation opportunities, and cultural assets.
Resettlement Plan (RP)	- is a time-bound action plan with budget setting out compensation and resettlement strategies, objectives, entitlement, actions, responsibilities, monitoring and evaluation.
Severely affected person	- means APs who will (i) lose more than 10 percent of their total agricultural land holding; (ii) relocate and/or lose more than 50 percent of their main residential and/or commercial structure; and/or (iii) lose more than 10 percent of their total income sources due to the Project.
Viable	means an area of adjoining residential and garden land sufficient for the reconstruction of a house large enough to provide the AP with acceptable living conditions. The minimum plot for determining reorganization will be equal to, or more than, the legal standard plot size for each town. It also refers to the stability of the structure itself, after the proportion of the structure is acquired for the Project.
Vulnerable persons, households or groups	- are defined as distinct groups of people who might suffer disproportionately from resettlement effects, including (i) those falling below the poverty line as defined by MOLISA, as well as any household earning up to 15% above the official poverty line; (ii) ethnic minority and other households living in remote, isolated areas or in communes with special difficulties as classified under Programme 135; or (iii) disadvantaged persons or households requiring "social protection" such as landless, disabled, handicapped, orphaned, vagrant, homeless, destitute, or lonely and elderly persons.

EXECUTIVE SUMMARY

Introduction. The Viet Nam Central Region Transport Networks Improvement Project (CRTNIP) will improve the road transport network in the central region of Viet Nam. This project is funded by the ADB and aims at assisting the Government of Viet Nam (GOV) to implement its poverty reduction strategy and to stimulate economic development through improvement of provincial and district roads in 19 poor provinces in central region.

Khanh Hoa Updated Resettlement Plan. The CRTNIP's Resettlement Policy Framework (RPF) was prepared and approved in August 2006 by the Bank and Vietnam Government. According to the ADB requirements towards the project, in its implementation stage, it has to prepare and submit to ADB for approval updated resettlement plans¹ of its Phase 2's and Phase 3's subprojects, which should include the final data on subprojects' APs, the scale of their land acquisition and resettlement impacts, and final compensation options before delivery of compensation and assistances allowances to the APs.

The Resettlement Plans, RPs, would be prepared according to the approved Resettlement Policy Framework, ADB's Policy on Involuntary Resettlement, and Operations Manual (OM) F2, (issued October 2003) following the requested project process. The RPs shall be based on a full census and detailed measurement survey of lost assets of 100 % of the APs (Detailed Measurement Study, DMS), baseline socioeconomic and perception study of at least 20 % of AP's (Social Economy Study, SES), a study to determine the replacement costs of all assets, and consultations about proposed entitlements and options for compensation, resettlement and income restoration.

PPMU then in coordination with PMU1 and relevant agencies, with assistance from consultants, carried out staking and cadastral measurement. From December 2008 to February 2009, public meetings were carried out in the subprojects' affected communes, SES and DMS were undertaken, and copies of public information booklets have been distributed to all affected persons (APs). Meetings also were held to clarify the Project Resettlement Policies and agree on implementation procedures and schedule.

Methods and modes for payment have been approved by the Decision 233/QD-UBND on 28 April 2009. Decision 121/QD-SGTVT of 16/1/2009, Decision 119/QD-SGTVT of 16/1/2009, Decision 117/QD-SGTVT of 16/1/2009 and Decision 113/QD-SGTVT of 16/1/2009 approves the design and quantity for the subproject contract package 1, 2, 3 and 4 respectively.

The objectives of the updated RP is to ensure that all people affected by land acquisition and resettlement in the affected communes are adequately compensated for lost assets and that sufficient measures are taken to ensure that they are able to restore pre-project living standards.

Scope of Land Acquisition and Resettlement. Based on the approved design and detailed measurement survey carried out, a total of 104 households in Sub Project Khanh Hoa and the two Districts of Dien Khanh and Khanh Son. Only one HH has to relocate to another plot of land. The total agricultural land lost amounts to some 4,937 m2 among 22 households, giving an average of some 224 m2 per HH. Some 32 fruit trees will be lost, as well as some 16 industrial trees 8 trees for timber. A very small amount of land, 20 m2, will be lost for 3 public properties. For temporary acquisition, those also have to abstain from 484 m2 during the construction period. See also Table 1a and 1 b below for more details. There are no household losing 10% or more of their productive land.

¹ For Khanh Hoa subprojects, no RP was prepared before this one

Table 1A: Summary Scope of Land Acquisition and Resettlement Impacts

Impact Total	No of AHH	Quantity	
		Unit	Quantity
Number of AHHs	104		
Resident land	7	m2	361.6
Agriculture land (crops land)	22	m2	4,937.3
Homestead agriculture land	22	m2	2,972.2
Industrial land	6	m2	6,117
Home stead garden and pond	13	m2	180
Affected houses	1	m2	27.5
Structures	35		
Crops	12		
Industrial trees	16		
Fruit trees	32		
Tree for timber	8		
Otther	24		

Table 1B : Summary Scope of Land Acquisition and Resettlement Impact (Public Properties)

Impact Total	No of AHH	Quantity	
		Unit	Quantity
Number of AHHs	3		
Land			
Annual crop land (permenant acquisition)	1	m2	20.1
Temporary acquisition	1	m2	484.6
Crops			
Cassava	1	m2	1420
Other structures			
Well D = 1,6m	1	m	12
Concrete yard 3,5*3,5	1	m2	12.25
Concrete reinforced slap	1	m3	1.488
Gate	1	m3	4.96
Pond (1,6*2,6*1,3)	1	m3	5.4

Compensation and Entitlement Policy. The Project compensation and entitlement policy is designed to cover compensation for lost assets and assistance to restore or enhance livelihoods of all APs. The Resettlement Policy Framework approved in 2006 covers full range entitlements for various types of losses. However, based on the actual impacts identified following DMS, the entitlements as shown in Table 2 below summarizes each type of impact and corresponding entitlement derived from the approved Resettlement Plan. In addition to cash compensation at market price for standing crops, all households losing agricultural land, regardless of severity of impacts, will receive additional cash allowances (income rehabilitation allowances).

It should also be noted that in consultation with affected households, cash compensation is preferred as mode of compensation for all their losses as they found the impacts to be not significant.

Table 2: Summarized Entitlement Matrix

Type of Impact	Entitlement
- Marginal loss of agricultural land	<ul style="list-style-type: none"> Legal/legalizable households and eligible organizations are entitled to cash at full replacement cost of the affected land. Income rehabilitation allowances HHs, APs that their cultivating land are acquired by Gov. but untitled for compensation and if their main income are from the lost agricultural land then the People Committee of Commune/ District (people committee) to consider to provide new land Non-titled households are not entitled to compensation for land, but will receive compensation payment for non-land assets on affected land (structures, crops and trees)
- Marginal loss of residential land	<ul style="list-style-type: none"> Legal/legalizable households and eligible organizations are entitled to cash at full replacement cost of the affected land. Non-titled households are not entitled to compensation for land, but will receive compensation payment for non-land assets on affected land at replacement cost
- Loss of crops, and trees	<ul style="list-style-type: none"> All households regardless of land use rights are entitled to cash compensation at current market prices.
- Impacts on structures	<ul style="list-style-type: none"> Cash compensation at full replacement cost for materials and labour for affected portion with no deduction for depreciation or salvageable materials. Regarding to the affect house, structure that partially removed but the remaining land can not be used for operation then they are entitled for full compensation of the whole house/structure. Apart from compensation at replacement cost, house and partially affected structures are entitled for allowance for repairing, completing the remaining part to its pre-project condition.
- Relocated Households	<ul style="list-style-type: none"> Relocation allowance Subsistence allowance Transportation allowance Allowance for temporary house rental Power, water, telephone relocation allowance
Reorganized Households	<ul style="list-style-type: none"> Subsistence allowance Transportation allowance Allowance for temporary house rental Power, water, telephone relocation allowance
- Temporary impacts during construction	<ul style="list-style-type: none"> Rental in cash. The land will be restored to its pre-project condition. Compensation for all assets at replacement cost.
- Vulnerable Households	Special social allowance
- Progress bonus	<ul style="list-style-type: none"> 5% of total compensation but not exceed 5,000,000 vnd/house for timely removal.

Consultations and Disclosure. Consultations with APs were carried during the preparation of this updated RP and will continue throughout the various stages of the Project. The following disclosure activities were conducted: (i) the distribution of a Public Information Brochure (PIB) in Vietnamese (May 2008) and (ii) Placement of compensation charts in Vietnamese in district and commune offices (May 2008 and May 2009). This updated RP will be placed in Vietnamese and English in provincial, district and commune offices in October 2009. It will be uploaded on the ADB resettlement website immediately upon ADB approval. Series of meetings with APs at commune and village level have been conducted during preparation of this updated RP from May 2008 to April 2009.

Implementation Arrangements. The Ministry of Transport (MOT) is the Executing Agency for the Project, with responsibility for planning and implementation delegated to the Project Management Unit No. 1 (PMU1) and the Provincial Project Management Unit (PPMU). To speed up project implementation, the Government recently has separated resettlement as an independent subproject and delegate management and implementation of resettlement subprojects to provinces. The PMU1 is responsible to work with relevant ministries to get budget for resettlement allocated adequately and transferred timely to project provinces. Provincial People Committee (PPC) delegates PPMU to be project manager of the resettlement subproject. DRC have been established in four affected districts. PPMU have been coordinating with consultants, DPCs, DRCs and CPCs to carry out resettlement activities and prepare this updated RP.

Grievance Mechanism. The Project has and continues to ensure that APs have clear and accessible mechanisms and procedures to address complaints and grievances about any aspect of land acquisition, compensation and resettlement. A four-step process will permit APs to submit grievances to the Commune People's Committee (CPC) and, if not satisfied with the decision, appeal successively to the People's Committees at district and provincial levels and, finally, to the District People's Court.

Monitoring. The Project will ensure internal and external monitoring of land acquisition, compensation and resettlement activities. PMU1 is responsible for internal monitoring, in close collaboration with PPC, PPMU, DPC, DRC and CPC. An independent monitoring agency, the Development Research and Consultancy Centre (DRCC), has been selected by PMU1, to conduct external monitoring and evaluation, focusing on the social impacts of the Project and whether APs are able to improve or at least restore their pre-project living standards, incomes and productive capacity. Monitoring will be carried out bi-annually during implementation of the RP, as well as post-evaluation 6-12 months after completion of all resettlement activities.

Updated Resettlement Plan Budget. Compensation costs for resettlement includes 1) Compensation costs and allowances; 2) Implementation costs and the total costs, approved by the PPC amounts to 538,021,928 VND, equivalent to 31,648 USD.

Implementation Schedule (Table 3A) and Implementation Milestones (Table3B) are set out below these tables summarize the steps involved in the implementation of land acquisition, compensation and resettlement activities for the Khanh Hoa subprojects.

Table 3A: Implementation Schedule

Activities	Schedule
Consultation, DMS, SES and Disclosure	May 2008 – June 2009
Submit updated RP to ADB for approval	September 2009
Approval of updated RP by ADB	September 2009
Compensation payment	September 2009
Award of civil works contracts	September / October 2009
Clearance of acquired land	September / October 2009
Start of civil works	September / October 2009
Internal and External Monitoring	October 2009 – until end of construction activities
Post Evaluation by independent monitoring agency	6-12 months after completion of construction activities

Table 3B Implementation Milestones

No.	Resettlement Tasks	Target	Responsible Agencies	Completion Deadline	Status
1.	Disclosure (PPTA Stage)				
1.1	RPF posted on ADB website		ADB	8 / 2006	
2.	Updated Resettlement Plan & Budget				
2.1	Establish DRCs		DPC	5/ 2006 (Khánh Sơn Dist) and 4/2008 (Diên Khánh Dist.)	
2.2	Demarcation of road ROW		PPMU	10/2008 – 12/ 2008	
2.3	Detailed Measurement Survey (DMS)	# of APs	PPMU, DRC, Consultant	1/2009 - 2/ 2009	
2.4	Approval of compensation rates		PPC	4/2009	
2.5	Approval of RP & budget		PMU-1/MOT	6/2009	
3.	Notification and Consultations				
3.1	Published list of eligible APs		DRC	29/04 to 25/05/2009	
3.2	Public Information Meeting	# of APs	DRC, PPMU, Consultant	05/2008 – 4/2009	
3.3	Consultations with severely affected APs, women, vulnerable APs	# of APs	DRC, PPMU, Consultant	4/ 2009	
3.4	Notification to APs about compensation payment	# of APs	DRC	6/ 2009	
4.	Detailed Rehabilitation Measures				
4.1	Rehabilitation measures for severely affected people (SAPs), if applicable	# of APs	DRC	6/ 2009	
4.2	Rehabilitation measures for very poor APs, where applicable	# of APs	DRC	6/ 2009	
4.3	Assistance for vulnerable APs, where applicable	# of APs	DRC	6-7/ 2009	
5.	Disclosure of Updated Resettlement Plan				
5.1	Information booklet distributed to APs	# of copies	PPMU/DRC	5/ 2008	
5.2	Updated RP placed in commune offices	# of copies	PPMU/DRC	5/ 2009	
5.3	Updated RP posted on ADB website		ADB	6/ 2009	
6.	Implementation Capacity				
6.1	PMU-1 & PPMU resettlement staff	# of staff	PMU-1/PPMU		
6.2	Training of PMU-1 & PPMU staff	# of staff	Consultant	7/2008	
6.3	Setting up grievance redress committees	# of staff	PPMU, DRC	11/2008	
6.4	Documentation as grievances	As required	PPMU, DRC	12/ 2008	
7.	Monitoring & Evaluation				
7.1	Baseline survey	Sample	IMA	11/2009	
7.2	Set-up internal supervision	As per RP	PMU-1/PPMU	10/2008	
7.3	Contract external monitor	As per RP	PMU-1	8/ 2008	
7.4	Internal monitoring reports	Quarterly	PMU-1/PPMU	12/08 – the completion of RP	
7.5	External monitoring reports	Semi-annual	IMA	6/2009 (starting)-every 6 months to completion of RP	
7.6	Post-resettlement evaluation		IMA	6-12 moths after completion of RP	
8.	Flow of Funds / Compensation / Land Acquisition				
8.1	Disbursement of funds to PPC		PMU-1/PPMU	6/2009	
8.2	Compensation payments	# of APs	PPMU, DRC	7/ 2009	
8.3	Rehabilitation allowances	# of APs	PPMU, DRC	7/ 2009	
8.4	Land acquisition	# of m ²	PPMU, DRC	7/ 2009	

1 INTRODUCTION

The Viet Nam Central Region Transport Networks Improvement Sector Project, CRTNISP will improve the road transport network in the central region of Viet Nam. The objective of the Project is to assist the Government of Viet Nam (GOV) to implement its poverty reduction strategy and to stimulate economic development in poor provinces. The Ministry of Transport (MOT) is the Executing Agency for the Project, with delegated responsibility to Project Management Unit No.1 (PMU-1). The Project has been approved by the Prime Minister at the Decision No 1435/TTg-CN dated 23/9/2005 and by the Ministry of Transport at the Investment Decision No 3674/QĐ-BGTVT dated 3/10/2005. The scope of the Project includes

- i) Investments to rehabilitate provincial and district roads in 19 provinces; and,
- ii) Institutional strengthening for management of provincial road networks.

The Project will be prepared and implemented in three phases:

- (i) Phase 1: Nghe An, Thua Thien Hue, Binh Thuan and Lam Dong.
- (ii) Phase 2: Ha Tinh, Quang Tri, Ninh Thuan, Dak Lak (1) and Dak Nong
- (iii) Phase 3: Thanh Hoa, Da Nang, Quang Nam, Quang Ngai, Binh Dinh, Phu Yen, **Khanh Hoa**, Kon Tum and Gia Lai and Dak Lak (2);

2 KHANH HOA'S SUBPROJECTS

2.1 DESCRIPTION OF THE SUBPROJECT

2.1.1 PR 2 – Road 1201

- Description of the existing Terrain, Road and Land Occupation

Not linking specific villages

Road Class: Class V – Flat (TCVN 4054-05).

Road length: 6.0 km

Design speed: 40 kph

Existing embankment: 7.0 to 7.5 metres

Existing pavement: 5.0 to 6.0 m – Penetration macadam

Pavement condition: Fair

Design carriageway: 5.5 m

Design shoulders: 1.0 m - Strengthening shoulder: 0.5 m

Design surfacing: Asphalt Concrete.

The road passes entirely through flat terrain and does not go through any village with a population density sufficient to require the use of an urban cross-section, with covered and lined side ditches.

The existing embankment width is not sufficient for the new standards and will require widening.

The existing pavement is 5.5 to 6.0 metres wide and generally made of penetration macadam some 20 cm thick, lying on subgrade materials. Asphalt concrete exists in two short sections. The pavement is shown to be in a fair condition and its elastic modulus is in the 750 daN/cm² range.

The existing box and circular culverts are made of reinforced concrete. They are considered sufficient for the drainage purposes and will require widening only.

Very few junctions will require upgrading works. Stretches of electricity and telephone cables will require relocation because of the road widening or slight re-alignment.

2.2 ROAD DESIGN

The road has been designed according to the standards for flat terrain according to the decisions made in the meetings held during the month of August 2007 in Da Nang.

The road horizontal and vertical alignments comply with the standards used and are tightly following the existing road. The vertical alignment gradients are complying with the standards.

The pavement structure complies with the decisions made during the meetings held during August 2007 in Da Nang:

- Crushed stone base and sub-base course.
- Asphalt Concrete.

The design of the drainage is based on the 25-year return flood.

Additional circular and box culverts are made of reinforced concrete.

Materials sources for fill materials, sand and crushed stone may have been identified in the vicinity of the sub-project but have not been reported.

2.2.1 Khanh Hoa Province – Road 1208 - PR 9:

- Description of the existing Terrain, Road and Land use

Not linking specific villages

Road Class: Class V - Flat / V – Mountainous (TCVN 4054-05).

Road length: 31.0 km

Design speed: 30 - 40 kph

Existing embankment: 7.0 to 7.5m in flat section – 6.5m in mountainous section

Existing pavement: 4.0 to 4.5m DBST in flat section – 3.5m DBST or cement concrete in mountainous section

Pavement condition: Poor to fair

Design carriageway: 3.5 m

Design shoulders: 1.5 m - Strengthening shoulder: 1.0 m

Design surfacing: DBST.

The road passes through flat and mountainous terrain and does not go through any village with a population density sufficient to require the use of an urban cross-section, with covered and lined side ditches.

The existing embankment width is almost sufficient for the new standards in the mountainous section and will require only occasional widening. The embankment will however require extensive, even if narrow, widening in the flat section.

The existing pavement is 4.0 to 4.5 metres wide in the flat section and is made of DBST lying on penetration macadam, 15 cm thick,. It is 3.5 metres wide in the mountainous section and made of either DBST on penetration macadam or cement concrete. The pavement is in a fair condition in both the flat and mountainous sections. The elastic modulus is in the 600 daN/cm² range in the flat section and in the 900 daN/cm² range in the mountainous section.

The existing box and circular culverts are made of reinforced concrete. They are considered sufficient for the drainage purposes and should require widening only.

A few junctions will require upgrading works. Stretches of electricity and telephone cables will require relocation because of the road widening or slight re-alignment.

- Road Design

The road design has been carried out according to standards for flat terrain (km 6 to 12) and mountainous terrain (km 16 to 41), as decided in the meetings held in Da Nang during the month of August 2007.

The road horizontal and vertical alignments comply with the standards used and are tightly following the existing road.

The pavement structure complies with the standards and special requirements.

- Crushed stone sub-base and base are used.
- DBST surfacing.

The drainage is based on the 25-year return flood.

The existing circular culverts are re-used and lengthened or replaced. The new circular culverts will be made of reinforced concrete.

Materials sources for fill materials, sand and crushed stone have been identified in the vicinity of the sub-project.

The Central Region Transport Network Improvement Sector Project (ADB5) in Khanh Hoa includes 02 suprojects: PR2 (sub-project code 1201) and PR9 (subproject code 1208) (see Map below).

2.3 CORRIDOR OF IMPACTS

Corridor of Impact of resettlement of the Project includes permanent and temporary acquired lands:

- i) Permanent acquired land: to toe of new road and/or edge of side drainage. All houses, structures, trees and crops will be removed for road.
- ii) Temporary acquired land: 1.5 m each side from toe of new road or/and edge of side drainage will be acquired temporary for construction implementation as follow:
 - Agricultural land: compensate loss of crops and trees during construction time.
 - Residential land: where houses, structures and other public facilities exist, contractors are required to have appropriate implementation approaches not to affect to houses and structures.

Figure 1 Sub-Project Locality Map

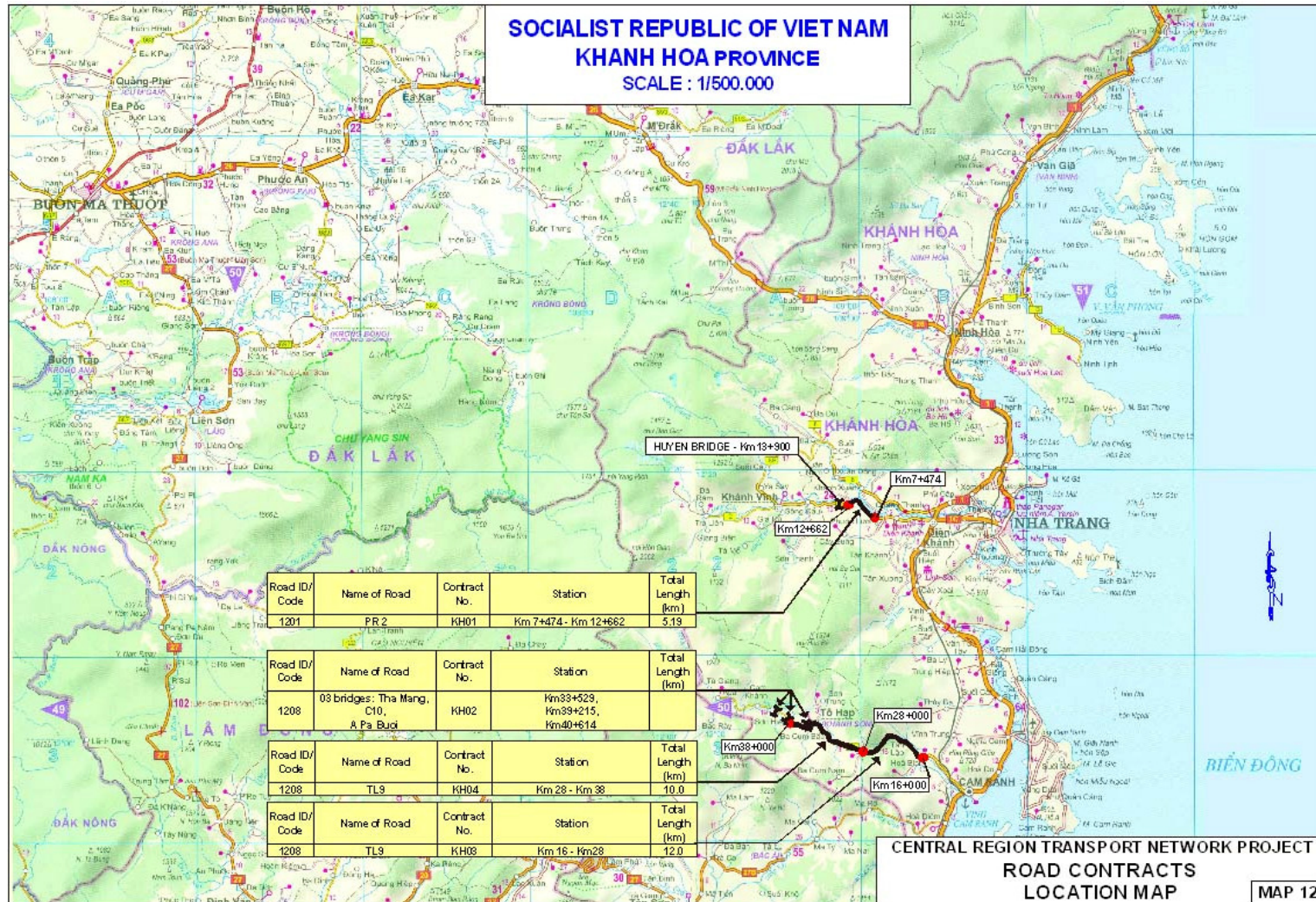
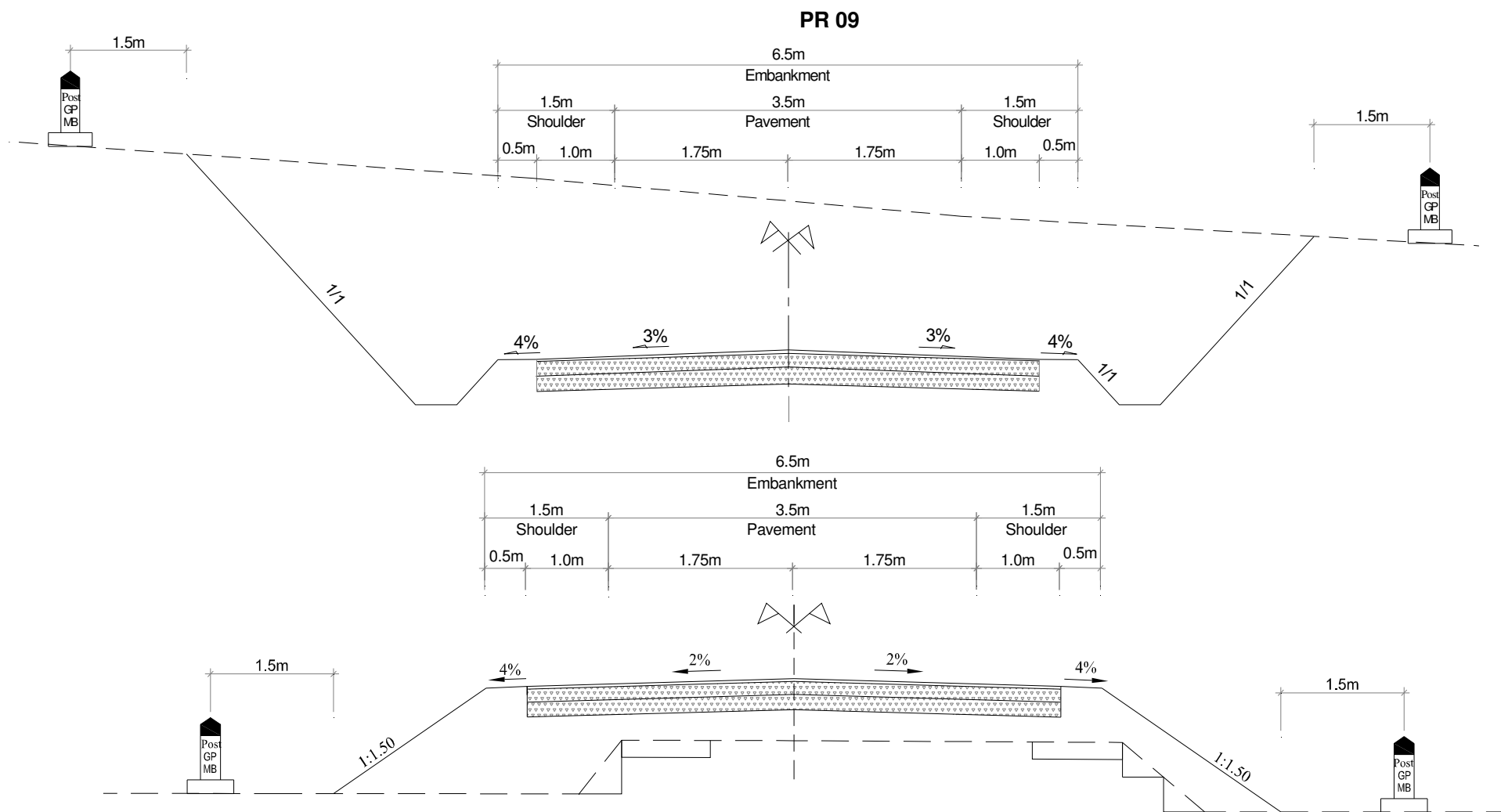
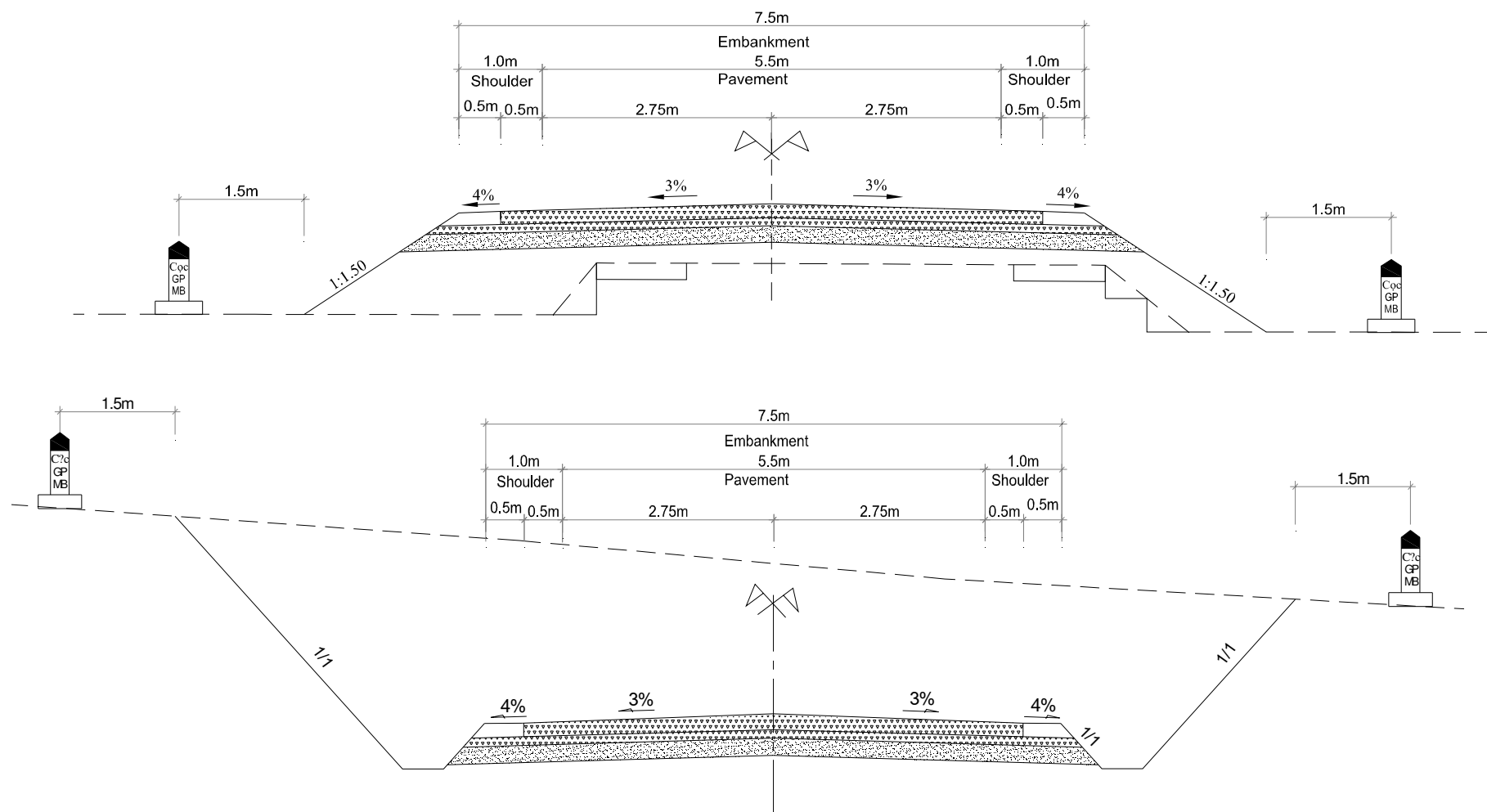


Figure 2 Typical Cross Section of Corridor of Impact



PR 02



3 RESETTLEMENT POLICY

3.1 LEGAL FRAMEWORK

The legal and policy framework for compensation and resettlement under the Project is defined by the relevant laws of the Government of Viet Nam (GOV) and the ADB's *Policy on Involuntary Resettlement*. In cases where there are differences between the ADB Policy and GOV Regulation, this policy will take precedence.

The principal documents include:

The ADB's Policy on Involuntary Resettlement (1995)

- The 2003 Land Law No. 13/2003/QH11 adopted by the National Assembly on 26 November 2003 and effective as of 1 July 2004.
- Decree No181/2004/ND-CP dated 29 October 2004 on Land Law implementation guidance
- Decree No 17/2006/ND-CP dated 27 January 2006 on amendment and supplement of decrees on Land Law implementation guidance.
- Document No 7760/TC-QLCS by Ministry of Finance dated 14 July 2004 on Land Law Implementation
- Decree No.197/2004/ND-CP dated 03 December 2004 regulates compensation, rehabilitation and resettlement in the event of land recovered by the Government.
- Decree No 84/2007/ND-CP dated 25 May 2007 amending provisions of land use right certificates, land acquisition, implementation of land use right, procedures and sequencing of compensation, assistance and resettlement when State recover land, and solving land grievances.
- Decree No.188/2004/ND-CP dated 16 November 2004 by the Government establishes a price framework for various categories of land.
- Decree No.186/2004/ND-CP dated 05 November 2004 on management and protection of road infrastructures.
- Circular No. 116/2004/TT-BTC dated 07 December 2004, from the Ministry of Finance, that guides the implementation of Decree No.197/2004/ND-CP. Circular No 69/2006/TT-BTC by MOF, dated on Feb. 18th 2006, amending the Circular No116/2004/TT-BTC on guidelines for implementation of Decree 197/2004/CP
- Circular No. 114/2004/TT-BTC dated 26 November 2004, from the Ministry of Finance, that guides the implementation of Decree No.188/2004/ND-CP.
- Decree No 123/2007/ND-CP dated 27 July 2007 amending some provisions of Decree 188/2004/ND-Cp on methods evaluating land prices and price frameworks for various categories of land.

Circular No. 13/2005/TT-BGTVT dated 7 November 2005 by Ministry of Transport on guidance for implementation of Decree No 186/2004/ND-CP dated 5 November 2004 in relevant to management and protection of road infrastructure facilities.

Document No. 6267/BGTVT-CGD by Ministry of Transport on official approval of the Resettlement Policy Framework of the Central Region Transport Network Project (ADB5)

Law on Grievance and Accusation of Citizen dated 02 December 1998. Laws amending Law of grievance and Accusation, dated on June, 15th 2004 and November, 29th 2006.

- Decision No 3037/QĐ-BGTVT of Ministry of Transport dated 14 October 2003 on regulation and guidance on resettlement implementation procedures for transport infrastructure facilities.
- Decision No 370/QĐ-BGRVT, issued by MoT, 15 February, 2008 approving investment for PR2 and PR9 in Khanh Hoa province under the Central Region Transport Network Improvement Transport Sector Project (ADB5)
- Decision No 02/2007/QĐ-UBND, issued by Khanh Hoa PPC, 15 January, 2007 regulating policies for compensation, assistances and resettlement when the State recover land in Khanh Hoa province.
- Decision No 62/QĐ-UBND, issued by Khanh Hoa PPC, 18 August 2005, regulations of prices for various equipments: Electricity, telephone, clean water, TV cable in Khanh Hoa province.
- Decision No 32/QĐ-UBND, issued by Khanh Hoa PPC, 23 June, 2008, regulating policies for structures acquisition for Subprojects.
- Decision No 39/2008/QĐ-UBND, issued by Khanh Hoa PPC, dated 03 July 2008 on regulations of prices for various categories of trees within Khanh Hoa province.
- Decision No 90/2008/QĐ-UBND, issued by Khanh Hoa PPC, dated 23 December 2008 on regulations of prices for various categories of land within Khanh Hoa province.
- Notice No 193/TB-UBND, issued by Khanh Hoa PPC, dated 15 May 2008 regarding resettlement for subproject.
- Based on the map for current status of land (scale 1/1000) certified by Khanh Hoa Land Survey Dept. on 21 December 2008
- Decision No 371/QĐ-UBND, issued by Khanh Hoa PPC, dated 17 February 2009 on regulations of prices for various categories of affected business due to temporary acquisition for construction of inter-commune feeding canal of Diên Sơn, Diên Điền, Diên Phú commune - Diên Khánh district
- Decision No 460/QĐ-UBND, issued by Khanh Hoa PPC, 26 February, 2009 regarding addendum/revision of Item 3, clause 12 which was attached to the Decision No 02/2007/QĐ-UBND, issued by Khanh Hoa PPC, 15 January, 2007 regulating policies for compensation, assistances and resettlement when the State recover land in Khanh Hoa province.
- Decision No 233/QĐ-UBND, issued by Dien Khanh DPC, dated 28 April 2009 regarding to the approval of Overall Resettlement Plan including compensation, assistance for PR2, PR9, section through Dien Tho Commuen, Dien Khanh District.
- Decision No 687/QĐ-UBND, issued by Khanh Son DPC, dated 31 December 2009 regarding to the approval of Overall Resettlement Plan for PR 9 subproject (from Km16+000 to Km38+000) and three bridges namely Tha Mang, C10 và A Pa Bưởi located at Ba Cùm Bắc Commune, Tô Hạp Town, Sơn Hiệp Commune, Khánh Sơn District
- Decision No 490/QĐ-UBND, issued by Khanh Son District, 02 May, 2008, regarding the establishment of the Resettlement Committee.
- Decision No 163/QĐ-UBND, issued by Dien Khanh District, 22 April, 2008, regarding the establishment of the Resettlement Committee.

3.2 PROJECT COMPENSATION AND ENTITLEMENT POLICY

3.2.1 Objective

The overall objective of the compensation and entitlement policy for the Project is to ensure that all people affected by the Project and its sub-projects are able to maintain and, preferably, improve their pre-project living standards and income-earning capacity through compensation for the loss of physical and non-physical assets and, as required, other assistance and rehabilitation measures.

3.2.2 Principles

The following principles have been adopted for the Project to guide the compensation and entitlement policy:

- (i) The acquisition of land and other assets and the relocation of affected people will be minimized as much as possible by exploring all viable options.
- (ii) All APs are entitled to compensation at replacement cost for their lost assets, incomes and businesses, including temporary losses or impacts.
- (iii) Rehabilitation assistance will be provided to severely affected people and other vulnerable groups to assist them to improve or at least restore their pre-project living standards, incomes and productive capacity.

Particular attention will be paid to the needs of the poorest people and vulnerable groups that may be at high risk of impoverishment. This may include those without legal title to land or other assets, landless households, households headed by females, the elderly or disabled and other vulnerable groups, particularly ethnic minorities. Appropriate assistance must be provided to help them improve their socio-economic status.

- (iv) Affected people that lose only part of their physical assets will not be left with a portion that will be inadequate to sustain their current standard of living. The minimum size of remaining land and structures will be agreed during the resettlement planning process.
- (v) Lack of legal title to affected assets will not bar APs from entitlement to compensation and assistance to achieve the stated objectives of this Resettlement Policy Framework.
- (vi) As a priority, loss of agricultural land will be compensated with alternative land of equal size and productive capacity. If suitable replacement land is not available and/or at the "informed request" of APs, compensation will be paid in cash at replacement value base on current market prices for agricultural land of the same category (or productive capacity) as the affected land.
- (vii) Replacement land for agriculture, residential purposes and businesses will be provided with secure tenure status; all fees, sales taxes or other surcharges associated with transfer of land title will be waived.
- (viii) Compensation for permanent houses and other structures will be determined according to replacement value for materials and labour to rebuild similar structures, at current market prices in the locality. In determining replacement costs, depreciation of assets and salvage value of materials will not be taken into account.
- (ix) In the determination of compensation for movable structures including houses, where the structures can be moved easily, relocation and repair allowances will be calculated. An assessment of material replacement will be made, based on the condition of materials, with valuations calculated based on market prices.
- (x) In the case of the relocation of APs, replacement houses and/or agricultural land will be located as close as possible to the assets that were lost, and at locations acceptable to APs. Relocated APs will receive relocation and transition subsistence allowances.

- (xi) Efforts shall be made to maintain, to the extent possible, the existing social and cultural institutions of the resettled people and host communities.
- (xii) APs will be fully consulted and will participate in the preparation and implementation of RPs for each sub-project. The comments and suggestions of affected people and communities will be taken into account during the design and implementation phases of resettlement activities.
- (xiii) Adequate resources will be identified and committed during resettlement planning for each sub-project and the overall Project. This includes adequate budgetary support fully committed for each sub-project and made available to cover the costs of land acquisition, compensation, resettlement and rehabilitation within the agreed implementation period for the sub-project; and, adequate human resources for supervision, liaison and monitoring of land acquisition, resettlement and rehabilitation activities.
- (xiv) Appropriate reporting, monitoring and evaluation mechanisms will be identified and set in place as part of the resettlement management system. Monitoring and evaluation of the land acquisition, resettlement and rehabilitation processes and the final outcomes will be conducted by an independent monitoring agency.
- (xv) Detailed RPs will be translated into Vietnamese or, where necessary, the local language and placed in the commune offices for the reference of APs as well as other interested groups.
- (xvi) ADB shall not approve award of civil works contract for any sub-project to be financed from the loan proceeds unless the Resettlement Plan following detailed design and based on detailed measurement survey has been submitted to and approved by ADB. The Ministry of Transport shall ensure that civil works contractors are not issued a notice of possession of site for construction works with respect to any specific section of a road unless, for that section, MOT has (i) satisfactorily completed, in accordance with the approved RP, compensation payment and relocation to new sites; and (ii) ensured that required rehabilitation assistance is in place and the area required for civil works is free of all encumbrances.

3.2.3 Eligibility

For the Project, the cut-off-date for eligibility for entitlement is defined as the completion of the Detailed Measurement Survey (DMS) of affected land. For this sub-project the land DMS has been completed in February 2009.

People who move into the sub-project area and/or who construct assets after the sub-project cut-off date are not entitled to compensation or any other form of resettlement assistance. They will be given sufficient advance notice, and requested to vacate premises and dismantle affected structures prior to project implementation. However, their dismantled structures will not be confiscated and they will not have to pay any fine or sanction. Forced eviction will only be considered after all other efforts are exhausted.

3.2.4 Project Affected People

In Viet Nam, the types of land users who may be APs include:

- (i) Legal and legalizable APs are those land users or occupants who possess a Land Use Right Certificate (LURC) issued by competent State authorities, or are eligible to obtain a LURC. The status of land use or occupancy will be demonstrated by means of the LURC or application for LURC; or, by one or more means of evidence as stipulated in the regulations to the Land Law. In the absence of these, the status of land use or occupancy may be established simply by being listed in the DMS.

- (ii) APs with temporary or lease rights are persons, households, firms or organizations that occupy agricultural, residential and/or other non-agricultural land temporarily allocated to them by local authorities, for which they possess written permission or a signed contract.
- (iii) Non-titled APs are those land users or occupants who are unable to prove legal or legalizable status prior to the cut-off date. They will be provided with economic rehabilitation assistance in lieu of compensation for land. They will also be compensated at full replacement cost for affected structures, crops, trees and other affected assets.

Resettlement assistance to non-titled affected people may also include replacement land although there is no entitlement to this for such APs. The resettlement package may include measures to ensure that such APs are able to find alternative sites or income sources, depending on their losses.

- (iv) Organizations that have paid land use or land transfer charges for land allocated by the State, and the funds for the charges were not from the State budget; and/or, that have investments on State-allocated land and the investments were not paid from the State budget.

Other organizations that do not pay land use or transfer charges, or that use State funds to pay these fees are not eligible for land compensation. They are, however, eligible for compensation for investments made on affected land, if those investments are not paid from State funds. In addition, following acquisition of affected land, they may request the State to allocate or lease alternate land to meet their needs.

3.2.5 Resolving Inconsistencies on Involuntary Resettlement

With the promulgation of Decree 197/2004/ND/CP (3/12/2004) and relevant decrees stated above, the policies and practices of the Government have become more consistent with ADB's social safeguards policies. Nonetheless, as per approved in 2006 Resettlement Framework, provisions and principles adopted in this updated RP will supersede the provisions of the relevant decrees currently in force in Viet Nam wherever a gap exists, as provided for under Decree 131/2006/ND-CP (November 2006), which regulates the management and use of official development assistance.

It should also be noted that as per Decree 197/2004, Article 32, it states "*Apart from the supports prescribed in Articles 27, 28, 29, 30 and 31 of this Decree, basing themselves on the local realities, the provincial-level People's Committee presidents shall decide on other supporting measures to stabilize life and production of persons who have land recovered; special cases shall be submitted to the Prime Minister for decision*".

3.2.6 Project Entitlements

Following detailed design and conduct of detailed measurement survey, the actual impacts have been identified for the Quang Binh subprojects. Since the actual impacts of the Quang Nam subprojects are finally identified, the Entitlement Matrix below reflects only the actual ones and corresponds to the entitlements described in the CRTNP's approved Resettlement Framework of 2006. It should be noted that all households losing agricultural land, regardless of severity of impacts, will receive additional cash allowances (income rehabilitation allowances). This is an improvement in comparison with the proposed resettlement framework (See Table 4)

Table 4: Entitlement Matrix

Type of Impact	Entitlement
a) Marginal loss of agricultural land	<ul style="list-style-type: none"> ▪ Legal/legalizable households and eligible organizations are entitled to cash at full replacement cost of the affected land. ▪ Income rehabilitation allowance ▪ If there is homestead agricultural land, garden/pond attached to the residential land then apart from compensation for agricultural land, they are entitled for assistance by cash but the total amount of compensation plus assistance should not be higher than 50% of the cost for the residential land adjacent. ▪ HHs, APs using Gov. land for agricultural/forestry/aquaculture activities by contract (not including forest land for special use); Once the Gov. acquires the land then they are not compensated for land but are entitled for compensation for investment cost for the remaining land and are entitled for assistance as follows: <ul style="list-style-type: none"> - Assistance amount of 50% land cost + 5% of land cost/year for the remaining years as per contract but not exceed 100% compensation rate for acquired land - In case the investment cost make the land more valuable and assistance to be made at new rate then compensation for investment fees for the remaining land plus the above assistance should not exceed 100% compensation rate for land at the new rate - In case the acquired agricultural land are public one then there is no compensation for land and APs who are renting the land will be entitled for compensation for investment cost for the remaining land. ▪ HHs, APs that their cultivating land are acquired by Gov. but untitled for compensation and if their main income are from the lost agricultural land then the People Committee of Commune/ District (people committee) to consider to provide new land ▪ Non-titled households are not entitled to compensation for land, but will receive compensation payment for non-land assets on affected land (structures, crops and trees).
b) Affected resident and non- agricultural land	<ul style="list-style-type: none"> ▪ Legal/legalizable households and eligible organizations are entitled to cash at full replacement cost of the affected land ▪ Legal/legalizable households and eligible organizations that have garden/pond within the residential land then that garden/pond will also be compensated as residential land but the total areas should not exceed the limit of standard for residential land specified by Khanh Hoa PPC. ▪ When using land without legal title, no compensation for land is paid out. However, will receive compensation payment for non-land assets on affected land. If household has no place for living then People Committee to consider to let them purchase/rent a house or provide new land for building new house.; HHs renting house or buy new house will have to paid for new house, rental and pay for land use fee at current market price. ▪ Income rehabilitation allowance will be paid out for those which have to rebuild their house on own land. ▪ In case the land / assets on affected land are under conflict for use right then they are still compensated but the money will be transferred to the State Treasury. Once the conflict for the use right is resolved, the money will be transferred to the right owners. ▪ In case, the remaining land is not good enough for building new house as per regulation then the owner is encouraged to sell the remaining land to the next to door neighbour or recommend the Gov to acquire the remaining land too. ▪ Land for shop/business/non-agriculture which was originally residential

Type of Impact	Entitlement
	<p>land will be compensated as per residential land</p> <ul style="list-style-type: none"> ▪ HHs, Aps using non-agricultural land from inheritance/gift or assigned by Gov with paying fee for use will receive compensation for non-agricultural land; In case the land is rented from Gov. then only investment fee for the remaining land is paid. ▪ After the dated of Decision for land acquisition is issued, any house purchasing/changing the owner without legal document and illegal encroachment will not be paid for compensation/assistance for land
c) Loss of crops, and trees	<ul style="list-style-type: none"> ▪ All households and organizations regardless of land use rights are entitled to cash compensation at current market prices. ▪ Annual crops: 2 months notice that the land on which their crops are planted will be recovered and that they must harvest their crops in time. If standing crops cannot be harvested within the timeframe of the notice, households will be compensated at replacement value for the loss of the unharvested crops. Replacement value is based on the average production over the last 3 years multiplied by the current market prices for agricultural products ▪ Perennial crops and trees: Full replacement cost for the loss of perennial plants and fruit and timber trees. Replacement value is equal to current market prices given the type, age and productive value of the affected crops or trees. Cash compensation at current market prices for any unharvested crops that are near or ready to harvest at the time of land acquisition
d) Impacts on main and secondary structures and impacts on graves	<ul style="list-style-type: none"> ▪ Cash compensation at full replacement cost for materials and labour for affected portion with no deduction for depreciation or salvageable materials. ▪ Household/structures that partially demolished and the remaining parts can not be used, full compensation for the entire house/structure is paid, including: <ul style="list-style-type: none"> - 2/3 of the total house to be demolished and the remaining land is less than 30m² - House partially demolished and the remaining land that its width is less than 2,5m. - House/structure partially demolished and the remaining can not function as per design. ▪ House/structure partially demolished and the remaining can still operational and usable then they are entitled for compensation for the lost portion at replacement cost and cost for repairing/completing the structure to the same technical design at the pre-project condition. ▪ House/structure demolition that affect the other components such as bathroom/kitchen/well/water tank.....and this component is no longer usable as per original design then will receive compensation for entire structures at replacement cost. ▪ Compensation for removal of graves will be paid directly to households, including costs of new graves, exhumation and transport of remains, reburial and all other reasonable costs. Graves will be exhumed and relocated in culturally sensitive and appropriate ways
e) Reorganized Households (at the moment there is no case for Khanh Hoa sub-project, however, if there is any during the construction period then they are entitled for the compensation/allow	<p>Apart from compensation for land, structure, tree, crop as other Aps, they are entitled for the following allowance:</p> <ul style="list-style-type: none"> ▪ Transport allowance: <ul style="list-style-type: none"> - Transport for relocation of house within the commune/ward/town: 2,000,000 VDN/house - Transport for relocation of house outside the commune/ward/town: 2,500,000 VDN/house- - Transport for relocation of house outside the District, commune, city: 3,000,000 VDN/house - Transport for relocation of house outside Khanh Hoa province:

Type of Impact	Entitlement
<p>ance as described.)</p>	<p>5,000,000 VND/house</p> <ul style="list-style-type: none"> - Transport for relocation of house within the remaining land: 1,000,000 VND/house- - No transport allowance for any household had just located in the affected land after the cut off date of DMS or after the date of Decision for land acquisition is issued. - HHs/APs who are registered as permanent resident in Khanh Hoa and are renting house will also receive the transport allowance subject there is house rental contract available. <p>▪ Allowance for house rental:</p> <p>HHs handover the site timely and while awaiting for province to provide new house or new land will be given a temporary house or will receive an allowance for house rental as follow:</p> <ul style="list-style-type: none"> - HH living the urban area: 500.000 VND/month for HHs with five (5) members downward. HHs with six (6) members upward will receive an additional of 100,000 VND/person/month for one additional member. - HH living the rural area: 300.000 VND/month for HHs with five (5) members downward. HHs with six (6) members upward will receive an additional of 70,000 VND/person/month for one additional member. - Period for allowance starting from the date handing over the site to the date of staking out the new land for relocation plus additional three (3) months. In case of receiving new house, the starting date is the date handing over the site to the date receiving decision for new house. - HHs partially affected but have to relocate the house in their remaining land will receive allowance for three months <p>▪ Subsistence allowances</p> <ul style="list-style-type: none"> - Subsistence allowances for 3 months if relocate in the remaining land. - Subsistence allowances for 6 months if relocate in new land - In case of moving into the bad or very bad Social-economy condition area then maximum allowance period is 12 months - HHs who are registered as permanent resident in the province and are renting the house which is to be relocated will also receive allowance for 3 months. <p>Allowance by cash for one member/month equiv. to 30 kg, at market price at the time providing allowance.</p> <ul style="list-style-type: none"> ▪ Electricity meter, water meter, telephone system, cable will receive an allowance for installation/removal as per PPC regulation. ▪ Those moving to the new place, apart from the above assistance, they are entitled to receive the following assistance: - Assistance for plant seed, animal for the first agricultural crops and other service for agriculture/forest making and service for protecting/raising plant and animal and other service for technical supports for business in term of manufacturing/trading. - Support for getting new job in new resettlement area for labour, particularly female labour.
<p>g) Affected Business (if any)</p>	<ul style="list-style-type: none"> ▪ Cash compensation at full replacement cost for materials and labour for affected portion with no deduction for depreciation or salvageable materials. ▪ Once the Gov acquire the land and the business which has registered is stopped then they are entitled for allowance of 30% of one year income after tax, basing on the average income of the last recent 3 years.

Type of Impact	Entitlement
	<ul style="list-style-type: none"> ▪ HHs operating private business at home, cooperative, private enterprises having business register and only pay the monthly fee but not pay the income tax and not under Sap (lost more than 10% of assets for business/or income) then will not entitle for assistance due to business stoppage. However, the affected assets is fully compensated at the replacement cost ▪ In case of severely affected business (lost more than 10% of assets for business/or income) then apart from i) assistance for business stoppage as above, ii) subsistence allowance and iii) allowance for changing new job and job creation. In addition, HHs considered as poor HH by the PPC or MOLISA will get an allowance for overcoming the poor condition; allowance amount and period of time for allowance as follows: <ul style="list-style-type: none"> * Allowance : <ul style="list-style-type: none"> - HH certified as poor by PPC: 30,000 VNĐ/person/month; - HH certified as poor by MOLISA: 40,000 VNĐ/person/month; * Period of time for allowance : <ul style="list-style-type: none"> - Loss from 10% to 40%: 3 months; - Loss from 40% to 50%: 4 months; - Loss from 50% to 60%: 5 months; - Loss from 60% to 70%: 6 months. - Loss from 70% to 80%: 7 months. - Loss from 80% to 90%: 8 months. - Loss from 90%: 9 months
h) Temporary impacts during construction	<ul style="list-style-type: none"> ▪ Rental in cash which will be no less than the net income that would have been derived from the affected property during disruption for productive land. The land will be restored to its pre-project condition. ▪ If the land is temporarily acquired and assets are affected/damaged then they are entitled for compensation as other affected persons. ▪ If there is house demolished entirely and Aps have to temporarily move to other place (if any case), then apart from compensation they are entitled to receive other allowances (allowance for transport, subsistence, house rental) as other affected HHs; ▪ If the assets are machines, equipment then they are entitled for compensation for removal, transportation, installation and damage during removal and re-installation. The amount to be as per the cost estimate by the Client and appraised by relevant Units. Electricity, water meter, telephone system, cable is compensated for re-installation/removal as per PPC regulation. ▪ If business stopped by the project temporarily then there is compensation for income and income rehabilitation allowance when the land is returned to owner, detail as follows: <ul style="list-style-type: none"> - <i>Agricultural operation</i>: Compensation for 1 crop due to stoppage or loss of income amounting 3.000 VNĐ/m² - <i>Manufacturing, non-agricultural business (if any)</i>: Compensation for monthly income for the whole period the land is temporarily acquired and income rehabilitation allowance. The compensation amount is the same as average monthly income after tax calculated basing on the average monthly income after tax of last year. - <i>Manufacturing, non-agricultural business stopped temporarily and the hired labours is affected (if any)</i>: Labours are compensated for the work suspension allowance starting from the date the work stops but duration should not last for more than 6 months
i) Assistance allowance for Public/gov. assets	<ul style="list-style-type: none"> ▪ Assistance allowance are 100% the same as compensation; The money will be transferred to the state bank and will be kept under the yearly disbursement plan for the commune, ward, town. The money is

Type of Impact	Entitlement
	will only be used for public purposes.
k) Vulnerable households (there is no poor household affected are SAPs. However, if any during the construction period then they are entitled for the compensation/allowance as described.)	<ul style="list-style-type: none"> Vulnerable households relocated with houses build on borrowed land will be provided with new land by the Province. For SAPs (relocation/reorganize house in the remaining land; or permanent loss of 10% of agricultural land; or loss of 10% of income from business), apart from compensation and other assistance/allowance as other SAPs, poor household are entitled for special assistance for overcoming the poor condition as follows: Allowance : <ul style="list-style-type: none"> HH certified as poor by PPC: 30,000 VNĐ/person/month; HH certified as poor by MOLISA: 40,000 VNĐ/person/month; <p>* Period of time for allowance :</p> <ul style="list-style-type: none"> Loss from 10% to 40%: 3 months; Loss from 40% to 50%: 4 months; Loss from 50% to 60%: 5 months; Loss from 60% to 70%: 6 months. Loss from 70% to 80%: 7 months. Loss from 80% to 90%: 8 months. Loss from 90%: 9 months <ul style="list-style-type: none"> HHs/AP under “social policy” which have to move to new place, apart from standard compensation/assistance allowance , they are entitled for additional assistance as follow: <ul style="list-style-type: none"> Solders before the August 1945 Revolution, Vietnamese Heroic Mother, Hero of Armed Force and Labour Hero: 3.000.000 vnd/HHs.- War wounded soldiers, war soldiers lost more than 81% of physical strength for work; family with member died in the war as a soldier (father, mother, husband, wife, son/daughter are soldier died in the war) : 1.000.000 vnd/HH; In case of many members in the house are entitled for the above allowance then the highest allowance for the most expensive member will be the only one receive allowance.
m) Progress bonus	<ul style="list-style-type: none"> Bonus of 5 % of the total compensation amount, but not exceeding 5,000,000 VDN/Household. No bonus for HHs living in illegal land, land with no entitlement

4 INSTITUTIONAL ARRANGEMENTS

Based on the Resettlement Policy Framework of the Central Region Transport Network Project (ADB5) approved by Ministry of Transport with agreement from ADB, relevant ministries and PPCs at the Document No. 6267/BGTVT-CGĐ dated 10 October 2005; Decree No.197/2004/NĐ-CP dated 03 December 2004; Decision No.2057/QĐ-BGTVT dated 6 October 2006 by the Ministry of Transport on approval of addendum to project management mechanism of the Central Region Transport Network Project (ADB5), which replaces Decision No 4181/QĐ-BGTVT dated 7 November 2005; and Document No.1665/TTg- CN dated 17 October 2006 by Prime Minister and Document No. 8186/BGTVT-CGĐ dated 27 December 2006 by Ministry of Transport on guidance on implementation of the Document No.1665/TTg-CN; the institutional arrangements of the Project is revised as below:

4.1.1 Ministry of Transport (MOT)

The MOT is the Executing Agency, responsible for approving project documents, providing funds and guidance to PMU-1 and for the overall implementation and coordination of the Project, including land acquisition and resettlement and EMDP activities.

4.1.2 Project Management Unit No1 (PMU1)

PMU-1 is the acting representative of the MOT for the Project. Within PMU-1, the Project Management Division 1 is responsible for implementation and ongoing management of Project activities, including land acquisition and resettlement. Selected Project activities will be delegated to a project management team at PMU-Middle that will report back to PMU-1 and its Project Management Division 1. Land acquisition and resettlement activities in Quang Binh province will be delegated to PMU-Middle Region (PMUM) who will report back to PMU-1 and its Project Management Division 1.

Under the instruction and guidance of MOT, the main responsibilities of project management teams at PMU-1 include:

- (i) Provide project documents and schedule, ensuring coordination and supervision RP preparation and implementation as well as implementation of tasks and responsibilities of the project manager towards the project manager of the resettlement subproject assigned by the PPC (PPMU or Consultant or RCs at all levels)
- (ii) Determine the corridor of impact of the Project, and collaborate with provinces in public disclosure, land acquisition and land allocation for the Project as required.
- (iii) Ensure adequate fund for provinces to pay resettlement compensation and assistance timely. Be responsible for inclusion of final costs of resettlement subprojects paid by provinces into the project cost.
- (iv) Ensure provision of additional budget for resettlement in cases where the budget approved by the MOT differs to actual costs.
- (v) Acts as project manager in oversee and supervise resettlement activities to ensure resettlement implementation schedule.
- (vi) Establish project-wide procedures for the establishment and maintenance of AP databases for all sub-projects at PPMUs, and ensure that regular reports are provided by PPMUs and RCs to PMU-1 and make all data available to the external monitoring organization.
- (vii) Approve contracts for research institutes, consultants and/or NGOs to carry out monitoring of land acquisition, resettlement and ethnic minority development components of the RPs.
- (viii) Regularly report to MOT and ADB on resettlement activities.

4.1.3 Provincial People's Committee (PPC):

The Provincial People's Committee (PPC) is the principal authority at the provincial level assigned by the Government for preparation and implementation of RPs for the Project. The responsibilities of the PPC include:

- a) Instruct, organise, make notifications, mobilise all organisations, individuals on compensation, assistance, resettlement and site clearance policies in correct conformity with the land recovery decision of competent State agencies.
- b) Instruct agencies, departments and DPCs to:
 - Establish management unit for resettlement subproject as regulated by the Government (PPMU)

- Establish or delegate to DPC to establish DRCs
- Develop projects for resettlement, for resettlement areas in service of land recovery.
- Approve or authorise the district People's Committee to approve compensation, assistance and resettlement schemes/charts.
- Instruct PDOF, PDOC, PDONRE and PPMU (resettlement project manager) to provide PPC with advice so as to enable the issue of decisions on replacement costs for land, structures, crops and trees, regulations on supports and allowances, resettlement plans, trainings, land classification, and urban and rural land quotas. Instruct on procedures for appraisal of compensation plans as part of updated resettlement plans (RPs).
- Assign PPMU and DPCs to instruct DRCs to collaborate with authorized bodies to measure and extract information from cadastral maps on the acquired land, which will be used as a basis for DMS, IOL and RP preparation. At the same time, PPC issue decisions on allocation and / or acquire land to construct roads, resettlement areas proposed by the Provincial Department of Natural Resources and Environmental Management.
- Assign CPCs and DPCs to protect resettlement stakes, ROW stakes from any encroachment within the ROW and its safety corridor.
- Instruct relevant agencies to settle complaints, denunciations from citizens on compensation, assistance and resettlement under authorities provided by law. Ensure objectivity and fairness when compensation, assistance and resettlement are considered and decided when the State recovers land under authorities provided in this Decree. Decide or authorise the district People's Committee to take coercive measures regarding cases of people who deliberately refuse to implement the State's land recovery decision under authorities.
- Instruct, examine and deal with violations in cases of compensation, assistance and resettlement.

4.1.4 Provincial Project Management Unit (PPMU) under Provincial Department of Transport (PDOT)

PPMU (Resettlement Project Manager assigned by PPC) under PDOT coordinates with RCs to implement resettlement procedures including DMS, land use right ratification, land classification to prepare RPs for APs; Compensates and relocates public facilities within Project COI.

PPMU under PDOT has following responsibilities

- i) Assist PPC to prepare detailed plans on measures, procedures and schedule to implement resettlement activities and instruct implementation of the plans timely.
- ii) PPMU under PDOT assign staff to regularly check the implementation of resettlement activities in term of quality and time and ensure regular coordination among relevant agencies: consultant, staking consultant, cadastral measurement consultant. Provide relevant documents for staking out and cadastral measurement such as approved detailed design drawings, etc.
- iii) Sign contract and coordinate with authorized bodies to measure or extract information from cadastral maps on the acquired land, which will be used as a basis for DMS, IOL, and RP preparation. Set up procedures to submit to related functional provincial departments, and the PPC to issue decisions on land acquisition as needed.
- iv) Guide, oversee and participate into the RCs to conduct SES and DMS following detailed designs and establish database of APs to report to PMU1.
- v) Report to PPC and collaborate with RCs to establish, implement and maintain public information campaigns and stakeholder consultation programs with affected households and communities, ensuring that all APs are fully informed about their rights

- and entitlements, timeframes and procedures for land acquisition and resettlement. Ensure that all disclosure activities are carried out according to the Resettlement Policy framework, including distribution of the public information brochures (PIB) to all APs and the placement of resettlement plans in commune offices.
- vi) Monitor and participate with the RCs, and other relevant parties in the implementation of the land acquisition, resettlement components of the RP, ensuring that all eligible APs have been identified with sufficient information from the RCs; and, that they have been provided with their respective entitlements according to the RP and Resettlement Policy Framework.
 - vii) Coordinate with relevant departments and agencies to prepare unit rate of land and structures, and submit it to PPC for approval.
 - viii) Coordinate with consultant to compile materials to provide guidance on DMS procedures.
 - ix) Compile guidance document and be responsible for giving instructions to Districts on the identification of legal status of land, and assets based on the current RPF and Vietnamese Law and Regulations
 - x) Review and endorse compensation, assistance cost charts and RPs prepared by PPMU, RC and consultants before submit RPs to relevant departments for appraisal and PPC for approval.
 - xi) Announce through mass media and send letters to infrastructure management agencies/bodies to coordinate in doing inventory of affected infrastructures and review relocation proposals of the infrastructure management agencies/bodies before submit PPC for approval.
 - xii) PPMU and RCs are responsible for accurateness and validity of inventory, measurement, legality of land, assets, compliance with RPF and approved compensation plans.
 - xiii) Certify and record resettlement documents.
 - xiv) PPMU is responsible for the accurateness and validity of inventory, measurement, legality of land and assets, compliance with RPF and approved compensation plans (updated RPs). The PPMU is a participant in the IOL and DMS process and will attest and record resettlement records.
 - xv) Manage compensation budget in accordance with Vietnamese regulation. Once funded, PPMU should reallocate properly budgets at lower levels and is responsible for accounting balance as per Project regulations. PPMU should be audited by an auditor introduced by the PMU -1
 - xvi) Ensure hand over of clear construction site on time. In case of delay, PPMU should report and propose solutions to PPC.
 - xvii) PPMU is eligible to open a new bank account or using existing account and its stamp for the project.
 - xviii) Review and sign resettlement completion documentation.
 - xix) Coordinate with PDARD and other provincial agencies in implementation of agricultural extension programmes and assistances. Ensure proper implementation of rehabilitation measures and rural development support activities
 - xx) Ensure a good coordination in implementation of resettlement, EMDP and construction.
 - xxi) Report regularly to PPC and PMU1 on resettlement and construction activities.

4.1.5 District People's Committee

The **District People's Committee (DPC)** has the responsibility to:

- (i) Lead public information campaign to mobilize all affected peoples on RPF and resettlement implementation following the land acquisition decision.
- (ii) Appoint members to the District Resettlement Committee (DRC). Instruct the DRC to prepare and implement RPs; appraise and approve RPs as delegated by the PPC.
- (iii) Collaborate with provincial departments and project manager to carry out construction of resettlement site as delegated by the PPC.
- (iv) Redress grievances on resettlement compensation and support as decentralized by the PPC. Determine resettlement enforcement activities as decentralized by the PPC, coordinate with functional agencies to implement enforcement.
- (v) Direct district departments to appraise RPs submitted by DRC and submit to PPC for approval or approved if delegated.

4.1.6 District Resettlement Committee (DRC)

The **District Resettlement Committee (DRC)** has the responsibility to:

- (i) Plan, organize and implement resettlement activities in the district on behalf of the DPC. Coordinate with consultant and PPMU to conduct measurement survey, DMS and SES, prepare compensation charts and RPs.
- (ii) Cooperate with land management agency to identify and be responsible for legality and classification of land based on current policies and regulations.
- (iii) Work with departments, agencies to sort out compensation, relocation, restoration and other resettlement issues.
- (iv) Review and certify resettlement documents ensuring compliance with Government regulations and project policies.
- (v) Organize compensation payment for APs.
- (vi) During implementation of resettlement, DRC will mobilize related commune members to participate in the preparation of RPs, updated RPs, and resolve obstacles in resettlement in communes.
- (vii) Coordinate with relevant communes to:
 - Carry out public information campaign on COI, Project compensation and entitlement policies, purpose and significance of the resettlement and other matters as required.
 - Announce the cut off date and ban on construction / development within the ROW (COI)
- (viii) Cooperate with the PPMU, consultant and other relevant parties, to announce to the public through mass media and prepare letters and documents to bodies who manage public structures and facilities to work together and agree on the minutes on the existing status and impact level of the affected structures.
- (ix) Cooperate with the PMU-1, PPMU and other relevant parties as requires, to stake out resettlement and ROW stakes in order to identify the accurate COI in accordance with plans or approved design; Cooperate with the PPMU and other bodies to measure or extract measurement from cadastral maps required information, as well as other technical documentation regarding APs. Cooperate in the identification of the exact number of households including the number of households and structures in the COI, number of households and structures directly outside of the COI, but affected by the project
- (x) Coordinate with CPCs and social political organisations, PPMU and consultant to conduct meetings with APs to inform the project resettlement policies and timeframe.

- (xi) Deliver, guide on filling and collect inventory forms to APs. CPC should attest on affected land origin, location and classification of affected land, number of persons in the affected household, quantity and state of affected assets, crops, trees on acquired land.
- (xii) Cooperate with related bodies to complete procedures on LURC for Households with changes in their land due to the Project.
- (xiii) Coordinate with Provincial departments to submit PPC documents on land acquisition and allocation for approval.
- (xiv) Open a bank account and use own stamp or use stamp of the Functional Division of the DPC during the resettlement process.
- xxii) Manage budgets for compensation in the district in compliance to the Project and Government policies. Following allocation of funds by PPC, organise payments for APs timely, and is responsible for accounting balance as per Project regulations. PPMU should be audited by an auditor introduced by the PPMU.
- (xv) Submit monthly progress reports to DPC and PPMU.
- (xvi) Hear and resolve AP grievances regarding resettlement policies and entitlements that have been appealed from CPC, appointing inspectors to review the circumstances of specific complaints.
- (xvii) Refer cases to the PPC for resolution as needed. Ensure enforcement of decisions as needed.
- (xviii) Directly review and sign all resettlement documents in the District according to current laws and regulations.
- (xix) Formulate resettlement completion documents and finalise accounting procedures of resettlement costs as regulated.
- (xx) Ensure hand over of clear construction sites on time. In case of delay, DRC should report to the DPC and PPC as needed.
- (xxi) Implement other tasks as assigned by DPC and PPC

The DRC are formed of the following members:

- Head of the DRC: President or Vice President of DPC
- Standing Deputy Head: Leader of District Finance Division
- Standing member: Representative from PPMU
- Members include: heads of relevant divisions (District Transport Division, Construction Division, Natural Resources and Environment Division, Agriculture Division), president or vice president of CPCs and 1 or 2 representatives of the APs.
- Task Team include: experts of PPMU, DRCs (transport, land administration, finance, construction, etc) and representative from Consultant.

4.1.7 Commune People's Committee (CPC)

The **Commune People's Committee (CPC)** has the responsibility to:

- (i) Organize public information campaigns on the purposes of land acquisition, RPF, mobilize local organizations and individuals to accept and follow the RPF.
- (ii) Cooperate with the DPC and APs to choose the most appropriate location for construction of resettlement areas, if needed.
- (iii) Participate actively in all activities related to land acquisition, resettlement, rehabilitation assistance and social development support.
- (iv) Sign compensation and other resettlement documents of APs.

- (v) Coordinate with DRC to hold meetings with APs to ensure that grievances of APs are properly addressed.

4.1.8 Affected Persons

During implementation of RPs and the updating of RPs, APs and their representatives will participate in the following activities:

- (i) SES, IOL and DMS data collection, asset valuation and agreements.
- (ii) Consultation meetings
- (iii) Resettlement locations as needed.
- (iv) Construction of houses and other technical assistance as required
- (v) Removal and relocation of affected assets

4.1.9 Consultant

The consultants are tasked to guide and assist during RP updating and implementation. The activities include consultation and disclosure activities, SES, DMS, design appropriate rehabilitation measures or programs, finalization of RP budget. The consultants are also tasked to assess capacity of project staff and provide trainings and appropriate capacity building activities.

The consultants will work closely with the concerned agencies to ensure accurateness and validity of DMS and SES data and compliance with RPF and RPs. Ensure that the updated RPs are disclosed to APs prior to submission to ADB for review and approval.

5 GRIEVANCE REDRESS AND RESOLUTION MECHANISM

A well-defined grievance redress and resolution mechanism will be established to address AP grievances and complaints regarding land acquisition, compensation and resettlement in a timely and satisfactory manner. All APs will be made fully aware of their rights, and the detailed procedures for filing grievances and an appeal process will be publicized through an effective public information campaign. The grievance redress mechanism and appeal procedures will also be explained in the PIB that will be distributed to all APs.

The PIB will also include information on the (a) rights of the APs to write a complaint directly to the Operations Department (i.e., Mekong Infrastructure Division, Mekong Department) and (b) the Consultation Phase of the ADB's Accountability Mechanism which allows APs to write to the Office of the Special Project Facilitator (OPSF) if they are still unsatisfied with the responses from the executing agency, project staff, and MKID. The OPSF aims to actively respond to the concerns of the affected people through fair, transparent and consensus-based approach.

APs are entitled to lodge complaints regarding any aspect of the land acquisition and resettlement requirements; compensation policy, entitlements, rates and payment; and, strategies and procedures for resettlement and rehabilitation assistance programs. AP complaints can be made verbally or in written form. In the case of verbal complaints, the committee hearing the complaint will be responsible to make a written record during the first meeting with the AP. APs who present their complaints to the CPC, DPC or PPC will be exempt from all administrative fees incurred. In addition, APs who lodge complaints and appeals to district courts will be provided with free legal representation.

For the purposes of grievance redress and resolution, the RCs at commune, district and provincial levels will also serve as the Grievance Redress Committees. The Commune

Grievance Redress Committee will make all reasonable attempts to settle AP issues at the commune level through community consultation; and, as required, the involvement of NGOs, mediators and facilitators, as well as social and resettlement experts. Moreover, to avoid a redress process, grievances will be prevented to the extent possible through careful sub-project design and implementation. Effective strategies include full and frank participation and consultation with APs; establishing a rapport between the affected communities and the implementing agencies; and, frequent interactions, transparency and monitoring.

A four-stage procedure for redress of grievances is proposed:

Stage 1: Complaints from APs on any aspect of compensation, relocation or unaddressed losses are in the first instance lodged verbally or in written form with the Commune's People's Committee (CPC). The complaint will be discussed in an informal meeting with the AP and the CPC. It will be the responsibility of the CPC to resolve the issue within 15 days from the date the complaint is received.

Stage 2: If no understanding or amicable solution can be reached or if no response is received from CPC within 15 days of registering the complaint, the AP can appeal to the District People's Committee (DPC) in the presence of the District Resettlement Committee (DRC). The AP must lodge the complaint within 30 days of registering the original complaint and must produce documents that support his/her claim. The DPC will provide a decision within 1 month of receiving the appeal.

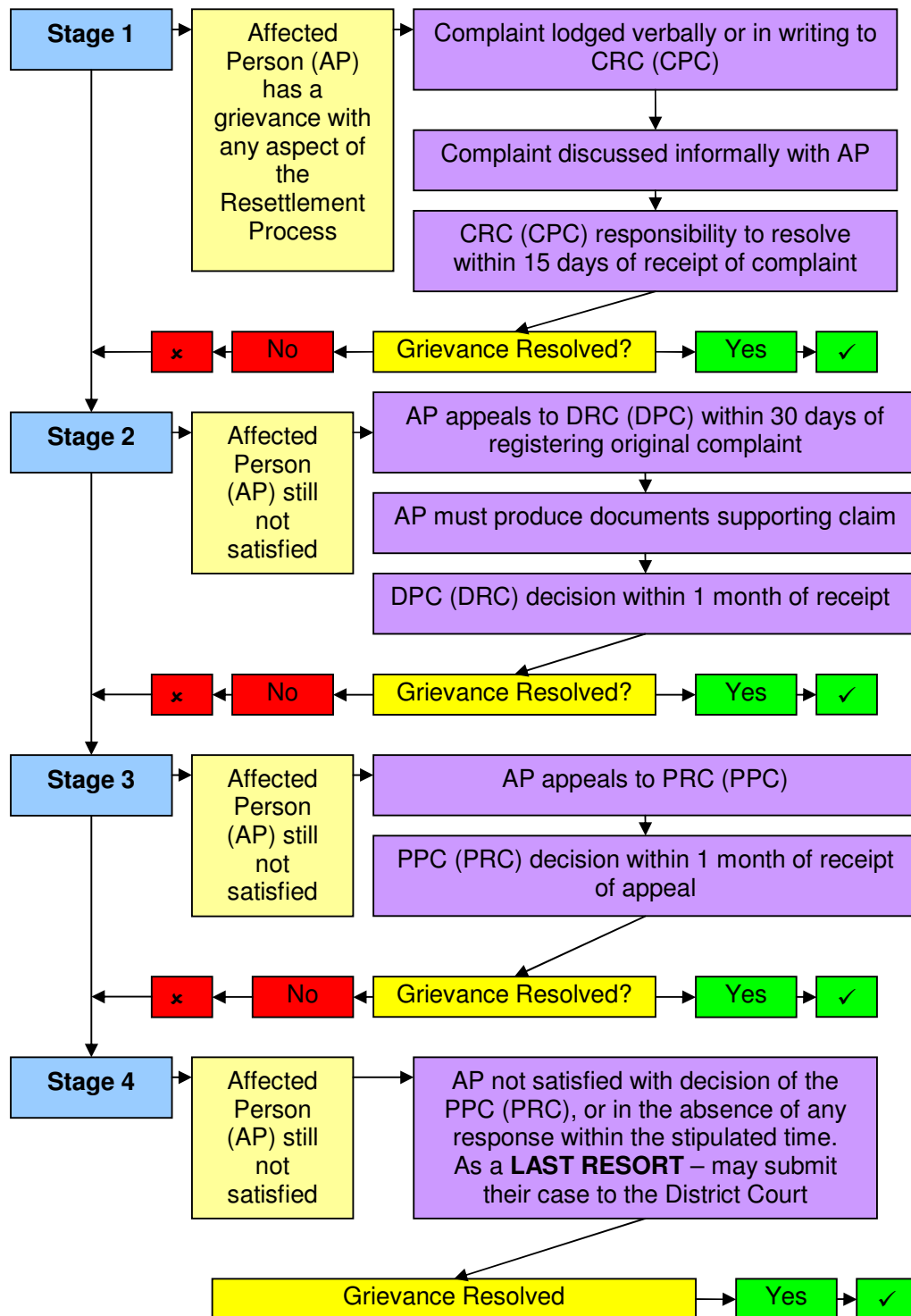
Stage 3: If the AP is not satisfied with the decision of the DPC or in the absence of any response, the AP can appeal to the Provincial People's Committee (PPC). The PPC together with the Provincial Resettlement Committee (PRC) or PPMU will provide a decision on the appeal within 30 days from the day it is received by the PPC.

Stage 4: If the AP is still not satisfied with the decision of PPC/ PPMU on appeal, or in the absence of any response within the stipulated time, the AP as a last resort may submit his/her case to the District Court. Beyond this the AP may lodge their complaint to the Operations Department or the Office of the Special Project Facilitator (OPSF) as detailed above as per ADB Policy.

The procedure described in these four steps is consistent with the legal process for resolution of disputes in Viet Nam. However, the system is oriented primarily towards disputes between people, as opposed to between people and government. Therefore, as part of the Project internal monitoring and evaluation, each PPC and PMU-1 will keep a written record of all grievances and complaints brought forward by APs, as well as their final resolution. The independent monitoring agency contracted for external monitoring and evaluation will be responsible for checking the procedures for and resolutions of grievances and complaints. The independent agency may recommend further measures to be taken to redress unresolved grievances.

The PMU-1 and the PPC will be responsible to ensure that the grievance redress procedures and timeframes are explained clearly to each level of People's Committees.

Figure 3: Grievance Resolution Process



6 MONITORING AND EVALUATION PROGRAM

The Project has already established systems for internal and external monitoring and evaluation. The main purposes of the monitoring and evaluation program are to ensure that resettlement and acquisition of land and properties have been implemented in accordance with the policies and procedures of the RP and the Policy Framework; and, as relevant, the provisions of the EMDP or specific actions are implemented properly. External monitoring and evaluation, in particular, will focus on social impacts on affected households and whether or not affected households have been able to restore a standard of living equal to, if not better than, that which they had before the project.

The scope of the monitoring and evaluation program will include land acquisition, resettlement and, as relevant, ethnic minorities components, providing feedback to management on their implementation and identifying problems and successes as early as possible to facilitate timely adjustment of implementation arrangements.

The objectives of the monitoring and evaluation program are (i) to ensure that the standard of living of APs is restored or improved; (ii) to monitor whether the time lines are being met; (iii) to assess if compensation, rehabilitation measures and social development support programs are sufficient; (iv) to identify problems or potential problems; and (v) to identify methods of responding immediately to mitigate problems.

The range of activities and issues that will be recorded and checked, include:

- (i) land acquisition and transfer procedures;
- (ii) compensation payments;
- (iii) construction of replacement houses by displaced households;
- (iv) re-establishment of displaced households and business enterprises;
- (v) reaction of severely affected, very poor and other vulnerable APs to rehabilitation packages; and
- (vi) re-establishment of livelihoods and income levels.

Table 5 summarizes a range of indicators established to ensure the attainment of the RP and Policy Framework objectives. The various indicators and benchmarks will be monitored by means of two monitoring mechanisms:

- (i) ongoing internal monitoring of process and output indicators; and
- (ii) External monitoring by APs and an independent monitoring agency to assess the extent to which resettlement and rehabilitation objectives have been met.

Table 5: Monitoring and Evaluation Indicators

Type	Indicator	Examples of Variables
Process Indicator	Staffing	Number of PDOT staff on Project, by road and job function Number of PMU-1 staff on Project, by road and job function Number of other line agency officials available for tasks
	Consultation, Participation and Grievance Resolution	Number of consultation and participation programs held with various stakeholders Grievances by type and resolution Number of field visits by PMU-1 staff Number of NGOs/CBOs participating in project
	Procedures in Operation	Joint DMS and asset verification/quantification procedures in place Effectiveness of compensation delivery system Number of land transfers effected Coordination between PMU-1, PDOT and other line agencies
Output Indicator	Acquisition of Land	Area of cultivation land acquired by road section and sub-project Area of other private land acquired

		Area of communal/government land acquired
	Structures	Number, type and size of private structures acquired Number, type and size of community structures acquired Number, type and size of government structures acquired
	Trees and Crops	Number and type of private crops and trees acquired Number and type of government/community crops and trees acquired Crops destroyed by area, type and number of owners
	Compensation and Rehabilitation	Number of households affected (land, buildings, trees, crops) Number of owners compensated by type of loss Amount compensated by type and owner Number and amount of allowances paid Number of replacement houses constructed by concerned owners Number of replacement businesses constructed by concerned owners Number of owners requesting assistance to purchase replacement land Number of replacement land purchases effected Number of entitlements delivered Number of entitlements used by APs Suitability of entitlements to APs as per RP objectives Number of non-titled APs receiving replacement land with lease/temporary rights Number of severely affected, very poor or other vulnerable APs receiving economic rehabilitation packages or other assistance
Impact Indicator	Household Earning Capacity	Employment status of economically active members Landholding size, area cultivated and production volume, by crop Selling of cultivation land Changes to livestock ownership – pre- and post disturbance Changes to income-earning activities (agriculture and non-farm) – pre- and post disturbance Amount and balance of income and expenditures
	Changes to Status of Women	Use of credit facilities Participation in road construction Participation in commercial enterprises
	Changes to Status of Children	School attendance rates (male/female) Participation in road construction
	Settlement and Population	Growth in number and size of settlements Growth in market areas Influx of illegal settlers/encroachers

6.1.1 Internal Monitoring

The Project Management Division 1 of PMU-1 and its delegates at PMU-Middle are responsible for internal monitoring of RP implementation. In particular, the Resettlement Specialists in the project management teams at PMU-1 and PMU-Middle, with assistance from the PSC and in collaboration with PRCs/PPMUs, will supervise and monitor the implementation of RP; and, prepare and submit quarterly monitoring reports to PMU-1.

The monitoring reports will summarize land acquisition and resettlement progress against monitoring indicators; and, where necessary, recommend changes to ensure that the implementation of the RP conforms to the objectives and procedures in the RP. PMU-1 will submit recommendations for change to MOT and ADB for review and approval.

6.1.2 External Monitoring

PMU-1 has recruited an independent monitoring agency (IMA), Development Research and Consultancy Centre (DRCC), to conduct external monitoring for the Project in August 2007.

The monitoring agency has been mobilized, and will carry out independent bi-annual reviews of RP and, as relevant, EMDP implementation to determine whether intended goals are being achieved, and if not, what corrective actions are needed.

The methods for external monitoring and evaluation of land acquisition, compensation and resettlement activities include:

- (i) The DMS and the SES carried out during RP preparation provide a database on APs in terms of their social and economic status, the nature and extent of losses, entitlements, compensation, etc. This database provides a baseline for monitoring project benefits, as well as being the basis for entitlements and compensation, and must be made available to the external monitoring agency to create their initial database.
- (ii) Periodic participatory rapid appraisals (PRA) will permit the external monitoring agency to consult with various stakeholders such as local government, resettlement committees, PMU-1, implementing agencies, NGOs, community leaders, ethnic minority communities and APs. PRA will involve obtaining information, identifying problems and finding solutions through participatory means.

A Post-Resettlement Evaluation will be carried out 6-12 months after completion of all resettlement activities, using the same survey questionnaire and sample as used during monitoring activities.

The external monitoring agency will maintain databases of resettlement and, as relevant, ethnic minority monitoring information that will be updated every six months. All monitoring databases will be fully accessible to implementing agencies and PMU-1.

The independent monitoring agency will carry out a replacement cost survey to verify and update the PPC compensation rates and ensure that the current market rates are applied and are acceptable as replacement values to both APs and PPC/PPMU.

Every six months, the independent monitoring agency will submit external monitoring reports summarizing its findings to the respective PPMUs and PMU-1, as well as directly to ADB. The reports will contain (i) a summary of the progress of RP implementation; (ii) identification of problem issues and recommended solutions so that implementing agencies are informed about the ongoing situation and can resolve problems in a timely manner; (iv) identification of specific ethnic minority issues, as relevant; and, (v) a report on progress of the follow-up of issues and problems identified in the previous report. The monitoring reports will be discussed in a meeting between the monitoring agency, PMU-1 and implementing agencies held after submission of the reports. Necessary remedial actions will be taken and documented.

7 PUBLIC DISCLOSURE AND CONSULTATION

The main purposes of the participation and consultation process are to:

- i) provide complete and timely information to APs about the Project and related activities, and ensure that they are able to make fully informed decisions about matters that will directly affect their livelihoods, incomes and living standards;
- ii) obtain the cooperation and participation of APs and other stakeholders for resettlement planning and implementation – that is, gather information about the needs and priorities of APs regarding compensation, relocation and other activities to be undertaken as part of

resettlement planning and implementation; and, obtain the reactions of APs and other stakeholders to proposed policies and activities; ensure that local authorities will be included in resettlement planning and decision-making and that APs working in collaboration with local authorities will take part in resettlement activities, e.g., property evaluation, compensation, resettlement monitoring;

- iii) reduce the potential for conflicts, as well as the risk of project delays; and
- iv) Enable the Project to design the resettlement and rehabilitation program in a manner to fit the needs and priorities of APs.

7.1 CONSULTATION AND DISCLOSURE DURING RP PREPARATION

Prior to the conduct of the Socio-economic surveys (SES) and Detailed Measurement Surveys (DMS), PMU1M, PPMU requested DPC and CPC to inform all APs about the proposed project, potential impacts, RP preparation activities, project entitlements (i.e., compensation payment based on current market rates) and schedule of DMS and SES.

The Public Information Brochure (PIB) in Vietnamese with content presented in Appendix 10.2 has been delivered to APs in May 2008 and placed at commune offices.

A series of meetings with APs at village and commune levels were conducted by DRCs and CPCs in conjunction with Consultant and participation of PPMU during DMS and SES activities from May 2008 to June 2009. Meetings provided APs with additional information about the Project and an opportunity for open discussion about resettlement policies and procedures. Interviews and focus group discussions with severely affected households as well as with local competent authorities/agencies were also held by PMU and consultant to identify APs' needs, priorities and proposed measures for restoration of their income and living standards.

7.2 UPDATED RP DISCLOSURE

As soon as Compensation Charts are approved by PPC, they are placed at the CPC office. It is regulated that placement of approved compensation charts should be done at least 7 days prior to start of payment.

Copies of this updated RPs in Vietnamese have been made available at PPC, DPC and CPC offices. The updated RP will be uploaded on the ADB website immediately upon ADB approval.

7.3 NOTIFICATION TO APs ABOUT COMPENSATION PAYMENT AND PROCEDURES

The PPMU/DRC/CPC will issue a letter to each AP, informing about the time, location and procedures for compensation payments.

The procedures for payment of compensation are as follows:

- (i) DRC/PPMU will submit Sub-Project Compensation Chart to PPC/DPC
- (ii) PPC/DPC will approve Sub-Project Compensation Chart and will prepare and provide budget.
- (iii) Once the budget is allocated, PPMU will inform commune officials and District/Commune Resettlement Committees about the dates for compensation payment.
- (iv) PPMU will ensure that all representatives from PPMU and DRCs are present during payment to APs.
- (v) PPMU will submit all necessary documents such as Sub-Project Compensation Chart, and acknowledge receipt by PPC.

The responsibilities of the PPMU and DRCs for payment to APs include:

- (i) Inform APs regarding payment schedule at least two weeks in advance.
- (ii) Prepare list of APs and their corresponding entitlements and payment.
- (iii) Prepare 4 copies of all compensation forms and documents (copies for APs, DRC, PPMU and PPC).
- (iv) Prepare and regularly update the list of APs, including date of payment made, to the computerized database maintained at PPMU.
- (v) Submit weekly progress report to PPC/PMU1 attaching the list of APs and signed compensation forms documents for proper monitoring.

The responsibilities of APs include:

- (i) Bring necessary documents (land titles, ID, certifications, etc.).
- (ii) If the AP will not be available to claim compensation payment on the scheduled date, he/she will inform DRC/CRC immediately or send his/her representative, through a written authorization, to claim on his/her behalf. Alternately, the AP may request DRC/CRC to reschedule the date of payment.
- (iii) Review carefully all compensation documents and ask DRC/CRC for clarification or explanation if necessary.
- (iv) If the AP is not satisfied with the compensation payment or if there is disagreement between the AP and DRC/CRC, he/she can resort to grievance resolution committee for assistance.
- (v) If the AP finds the compensation documents in order, he/she will sign the said documents and acknowledge receipt of compensation payment. APs will receive 1 copy of all compensation forms.
- (vi) The AP will clear the area within the specified time provided by the Project in order for construction works to begin.

8 SOCIAL ECONOMIC SURVEY (SES) & DETAILED MEASUREMENT SURVEY (DMS)

8.1 RESULTS OF SOCIAL ECONOMIC SURVEY (SES).

SES and DMS were carried out from mid December 2008 to the end of April 2009 in the affected Communes. The DMS indicate that 104 HHs were affected. The aims of the SES and the social economic analysis are to determine issues related to compensation and site clearance and to provide a basis to evaluate and monitor the ability of recovering living standards for affected households after implementing resettlement. This does also include the opportunity to evaluate the impact of the upgraded roads.

8.2 GENERAL INFORMATION

Among the 103 HHs responding (there are 104 HH affected), most of the head of affected households are male (80 households), accounting for some 80 %. The households headed by females account for some 20 % or 23 households. In the two different communes and To Hap town, there are 9 HHs (39 %) headed by females in Dien Tho Commune; in Ba Cum Bac Commune 13 (18 %) and in To Hap Town, 1 HH (11 %) headed by females.

There is an average of 4.39, 3.65 and 4.1 persons in each HH in Dien Tho and Ba Cum Bac Communes and To Hap Town respectively. Three HH are 33 HHs classified as Ethnic Minority (EM). See Table 6 below.

Table 6: Classification of Affected Households

District/Commune		Total No. of AHHs	Total No. of AHHs (giving response)	Average size/HH (person/house)	HHH		No. of Ethnic Minority	Elderly, single
					Male	Female		
Sub-project Khánh Hoà		104	103		80	23	33	2
Provincial Road 2		24	23	4.39	14	9	0	0
Diên Khánh District								
	1. Diên Thợ Commune	24	23	4.39	14	9	0	0
Provincial Road 9		80	80		66	14	33	2
Khánh Sơn District								
	1. Ba Cúm Bắc Commune	70	70	3.65	57	13	31	2
	2. Tô Hạp Town	10	10	4.1	9	1	2	

Among the Heads of HHs, most of them are in the 30-45 age brackets. In this group, women constitute 18 %, whilst in the 60 years age and more, they constitute 50 %, which might reflect a higher mortality among elder men. The average age of the HHH varies from 40 years in To Hap Town to 60 years in Dien Tho Commune. See Table 7 below.

Table 8 below covers age and gender amongst HH members and is limited to data from 14 HH. The population is certainly younger than the HHH, varying from 23 to 39 years and the below 30 years category having 56 % of the total population. The females constitute 57 % of the total population. See Table 7 and 8 below.

Table 7: Affected Household Classified by Age and Gender

Commune	Number of affected households giving responses	Average age of surveyed HHHs	Surveyed HHHs by age							
			<30		30 - <45		46 - <60		> 60	
			Male	Female	Male	Female	Male	Female	Male	Female
Khánh Hoà Province	103		2	0	37	8	23	6	18	9
Sub-project 2	23	59.74	0	0	5	0	4	2	5	7
Diên Khánh District										
1. 1. Diên Thọ Commune	23	59.74			5		4	2	5	7
Sub-project 9	80		2	0	32	8	19	4	13	2
Khánh Sơn District										
1. Ba Cạm Bắc Commune	70	47.44	1		26	7	17	4	13	2
2. Tô Hạp Town	10	39.5	1		6	1	2			

Table 8: Age of Member of Surveyed HHs giving response, Classified by Gender

Commune	Number of affected households giving responses	Average age of member of AHHs	Age of Member of Surveyed HHs giving response							
			< 30		30 - <45		46 - <60		> 60	
			Male	Female	Male	Female	Male	Female	Male	Female
Khánh Hoà Province	14	0	11	21	6	5	6	6	3	2
Sub-project PR 2	2	0	2	3	0	0	2	1	0	1
Diên Khánh District	2		2	3	0	0	2	1	0	1
1. Diên Thọ Commune	2	38.9	2	3			2	1		1
Sub-project PR 9	12	0	9	18	6	5	4	5	3	1
Khánh Sơn District	12		9	18	6	5	4	5	3	1
1. Ba Cạm Bắc Commune	10	33.9	7	13	4	3	4	5	3	1
2. Tô Hạp Town	2	22.5	2	5	2	2				

8.3 SOCIAL - ECONOMIC CONDITIONS OF AFFECTED PEOPLE

8.3.1 Academic level

Some 37 % of the 103 HHH have not yet attended primary school, with 5 % being illiterate. Lower and Upper Secondary School has been attended by 60 % of the HHHs.

Academic level of affected HHHs living along Subproject 611 is at average standard. Around 1/5 of HHHs giving response has attained upper secondary school and 1/4 primary school. Lower secondary school has been attained by 56 %) and none of the head of households were illiterate or had attended university or college (See Table 9).

Table 9: Academic Level of AP Heads of Households (%)

District	Commune	Heads of HH responding	illiterate	Not yet obtained primary school	Obtain primary school	Lower secondary	Upper secondary	Other
Khánh Hoà Province		103	5	32	6	26	34	
Sub-project PR 2		23	1	11	1	3	7	0
Diên Khánh District								
	1. Diên Thọ Commune	23	1	11	1	3	7	
Sub-project PR 9		80	4	21	5	23	27	
Khánh Sơn District								
	1. Ba Cụt Bắc Commune	70	4	19	5	21	21	
	2. Tô Hạp Town	10		2		2	6	

Some 60 persons in affected HHs have been interviewed about their schooling, the result of which is in Table 10 below. Among those 60, there are 10 persons who are illiterate and 36 persons who have attended Lower and Upper Secondary School (60 %).

Table 10: Education – Academic Level of Surveyed HHs, Counting from Schoolage

District	Commune	Number of affected persons giving responses	Illiterate (person)	Can read and write (person)	Primary (person)	Lower Secondary (person)	Upper Secondary (person)	University and college (person)	Not old enough (person)
Khánh Hoà Province		60	10	1	10	21	15	0	3
Sub-project PR 2		9	0	0	1	4	4	0	0
Diên Khánh District		9	0	0	1	4	4	0	0
	1. Diên Thọ Commune	9			1	4	4		
Sub-project PR 9		51	10	1	9	17	11	0	3
Khánh Sơn District		51	10	1	9	17	11	0	3
	1. Ba Cụt Bắc Commune	40	8	1	7	15	7		2
	2. Tô Hạp Town	11	2		2	2	4		1

Results of the SES survey showed that there are no gender differences in terms of education: All school-age children surveyed (except 3), both boys and girls, of affected households, are attending school. Similarly, little differentiation between surveyed adult

males and females in their academic levels could be observed². Results also indicated that the school attendance and education of the young generation is improved.

8.3.2 Employment and Income

Most of the Affected HHHs are engaged in agriculture. Among 103 HHHs giving response, 68 are engaged in agriculture, amounting to 66 % of the total. Even in To Hap Town, some 70 % of the respondents were engaged in farming. Other sources of income are being a government employee, which accounts for some 17 HHHs, constituting some 17 % of the total surveyed HHHs. Some of those combine their government job with farming and trading. See Table 11 below.

Table 11: Occupation of Head of HHHs

Province	Surveyed HHHs giving responses	Occupation of Head of Affected Households													
		1) Government Employee + farming	2) Government Employee	3) Retired	4) Teaching + farming	5) Teacher	6) Farmer	7) Farming + Trading	8) Farmer + Common labour	9) farming + Service	10) Trading	11) Government Employee + trading	12) Repair service	13) elderly/housewife	14) Other
Khánh Hoà Province	103	9	7	2	1	1	68	12	0	0	2	1	0	0	0
Sub-project PR 2	23	0	0	0	0	1	20	1	0	0	1	0	0	0	0
Diên Khánh District															
1. Diên Thọ Commune	23					1	20	1			1				
Sub-project PR 9	80	9	7	2	1	0	48	11	0	0	1	1	0	0	0
Khánh Sơn District															
1. Ba Cum Bac Commune	70	7	7	2			41	11			1	1			
2. Tô Hạp Town	10	2			1		7								

According to MOLISA, anybody in rural areas with an income below 220,000 VDN (1 million VDN per household/month) is considered as poor. Communes maintain and update annually a list of households, classifying them as “poor”, “average” and “prosperous”. In the small selection of HHHs in Table 12 below, some 86 % of the HH are “prosperous”, with the remaining having an “average” income. There are no HH being “poor”.

² Because of different compulsory education (10- and 12 grades) systems existed between before and after 80-s in Vietnam, the absolute average schooling year per surveyed adult member may be lower than the existing one.

Table 12: Distribution of Households by Income Group

Commune	Surveyed HHs giving responses	Income groups (HHs)			%		
		Good income and/or above average	Average	Poor	Good income and/or above average	Average	Poor
Khánh Hoà Province	14	12	20	0	86	14	0
Sub-project PR 2	2						
Diên Khánh District							
1. Diên Thọ Commune	2	2			100		
Sub-project PR 9							
Khánh Sơn District							
1. Ba Cụt Bắc Commune	10	9	1		90	10	
2. Tô Hạp Town	2	1	1		50	50	

In the Table 13, a more detailed classification of the 14 HHs is indicated. The average income per person varies from some 495,000 VND to 792,000 VND, Tô Hạp town having the lowest income per capita. However, the selection of HHs is very small, which makes it difficult to generalise the data to the whole affected population.

Table 13: Classification of Households by Income Group

Commune	Surveyed HHs giving responses	Vnd/pers/month	HHs by income groups (1,000 VND/person/month)				
			<221	220 - <400	401 - <700	700 - <1000	≥1000
			1	2	3	4	5
Khánh Hoà Province	14		0	2	4	5	3
Sub-project PR 2	2	791,667	0	0	1	0	1
Diên Khánh District	2	791,667			1		1
1. Diên Thọ Commune	2	791,667			1		1
Sub-project PR 9	12	707,435		2	3	5	2
Khánh Sơn District	12	707,435		2	3	5	2
1. Ba Cụt Bắc Commune	10	765,979		1	3	4	2
2. Tô Hạp Town	2	494,545		1		1	

8.3.3 Assets ownership

Based upon data from 14 HHs, all HHs have a TV and a rice cooker. Coming very close to this are motorbikes. Homephones are available in all HHs in PR 2, but less so in PR 9. Bicycles are found in 50 % of the HHs along PR 2 and only 8 % HHs have bicycles along PR 9. See Table 14 below.

Table 14: Assets Ownership of Affected Households

Type of asset	Assets Ownership of HHs (%)			Quantity of Asset of AHHs (Unit)		
	PR 2	PR 9	Total Subproject	PR 2	PR 9	Total Subproject
Bycycle	50	8	14	1	1	2
Motorbike	100	83	86	3	13	16
Washing Machine		17	14		2	2
Valuable furniture	100	17	29	4	6	10
TV	100	100	100	2	12	14
Home phone	100	58	64	2	7	9
Home phone	50	42	43	2	8	10
video	50	92	79	1	11	12
Computer		8	7		1	1
Rice cooker	100	100	100	2	12	14
Machinery	50	17	21	2	3	5

8.3.4 Infrastructure

All of the affected surveyed households (only 14) have access to electricity. Some 93 % claim that they have access to safe water sources, most of which comes from dug wells. Toilets are mainly flush with septic tank type (43 %) and dug toilets (36 %). More than 60 % have private bathroom; 21 % enjoy bathrooms made of bricks with shower and heater, whilst 29 % have low standard bathrooms. Main source of cooking energy is firewood, (71 %) and some 50 %a also use gas, with electricity being used by 29 %. Some households have several sources of energy for cooking. See Table 15 below.

Table 15: Living Conditions and Energy sources for Cooking

Description		PR 2		PR 9		Total Subproject	
		HHs	%	HHs	%	HHs	%
No. of surveyed HHs		2	100	12	100	14	100
Have electricity		2	100	12	100	14	100
Safe water sources	Yes:	1	50	12	100	13	93
	Pipe water			1	8	1	7
	Drilled well						
	Dug well	1	50	11	92	12	86
	Rain water	1	50	1	8	2	14
Have private toilet		2	100	10	83	12	86
Type of toilet	Manual/Flush with septic tank	2	100	4	33	6	43
	Dug toilet			5	42	5	36

Description		PR 2		PR 9		Total Subproject	
		HHs	%	HHs	%	HHs	%
	Simple version			1	8	1	7
	Outdoor						
	Share with neighbours			2	17	2	14
Type of Bathroom	Have private bathroom	2	100	7	58	9	64
	Brick constructed with shower and heater	1	50	2	17	3	21
	Low standard	1	50	3	25	4	29
	Simple roof			2	17	2	14
Source of energy for cooking	Firewood	2	100	8	67	10	71
	Coal						
	Electricity	2	100	2	17	4	29
	Gas	2	100	5	42	7	50
	Other						

There are up to 80% of the households in the project area who are using firewood for their cooking. 80% of surveyed households are using gas and they can use both gas and firewood. Using electricity is viewed as a substitute if necessary. All AHH view themselves as having access to safe water, mainly from dug wells. Almost half of the AHH have showers and sanitary facilities with bricks. See Table 15.

8.3.5 APs perception towards Project Impacts

Affected households were informed by the PPMU and local authorities on the project and its resettlement policies applied for their lost assets. They were made aware of their entitlements described in the RPF and the Subproject Resettlement Plan. In general, the APs expressed their strong support towards the Project, highly expecting that it could bring great benefits for their communities and themselves. They believed that investment of the road will radically improve their traffic conditions, creating favourable conditions for communication, marketing local products, exchanges of goods, facilitate travelling to school for children etc..

In the Table 16 below is the result from the SES, comprising 14 HHs. All regarded the project as good for improving transport and for the absolute majority, it would also improve access to the market and improve access to education facilities. Most also believed that the project would support increased incomes and job opportunities. No other impacts were reported.

According to discussions between the APs and the Province, the subproject would connect with the other parts of the Province and this will be viewed as the main road. This is very much supported and will develop culture and economics in the areas.

There is a big need to improve the road, and this is very much supported by the APs. This will ensure the safe and faster transportation of materials, goods and people. The benefit from the new road is higher than the negative consequences such as resettlement and relocation. They do also believe that their income will increase, because of better access to the market.

The condition of the existing road is very bad and is difficult to use in the rainy season. During the dry season, the road gets very dusty. The bad condition of the road causes problems for the children to go to school during rainy season. Heavy traffic cannot use the road during rainy season. The improved road can be used over the full season. Cost and time spent for transportation will be lower, and the children can go to school, irrespective of weather.

Table 16: AP's perception and response to the Khanh Hoa Subproject

Province	No. of survey ed HHs	AP's perception and response to the Khanh Hoa Sub-project																							
		Transportation				Access to market				Income				Job				Education				Other			
		Bad	Good	No affect	Don't know	Bad	Good	No affect	Don't know	Bad	Good	No affect	Don't know	Bad	Good	No affect	Don't know	Bad	Good	No affect	Don't know	Bad	Good	No affect	Don't know
Khánh Hòa	14	0	14	0	0	0	13	1	0	0	13	0	1	0	13	1	0	0	13	0	1	0	0	0	0
%	100	0	100	0	0	0	93	7	0	0	93	0	7	0	93	7	0	0	93	0	7	0	0	0	0
PR 2/ Diên Khánh Dist.	2	0	2	0	0	0	1	1	0	0	1	0	1	0	1	1	0	0	1	0	1	0	0	0	0
%	100	0	100	0	0	0	50	50	0	0	50	0	50	0	50	50	0	0	50	0	50	0	0	0	0
1 Diên Thọ Comm	2	0	2	0	0	0	1	1	0	0	1	0	1	0	1	1	0	0	1	0	1	0	0	0	0
PR 9/ Khánh Sơn Dist	12	0	12	0	0	0	12	0	0	0	12	0	0	0	12	0	0	0	12	0	0	0	0	0	0
%	100	0	100	0	0	0	100	0	0	0	100	0	0	0	100	0	0	0	100	0	0	0	0	0	0
1. Ba Cụt Bắc Comm	10	0	10	0	0	0	10	0	0	0	10	0	0	0	10	0	0	0	10	0	0	0	0	0	0
2. Tô Hạp Town	2	0	2	0	0	0	2	0	0	0	2	0	0	0	2	0	0	0	2	0	0	0	0	0	0

8.3.6 Gender aspects

■ Households headed by women

As mentioned above, among the 104 affected households, there are 23 households headed by women, accounting for 22 % of the total AHHs. The average age is 52 years. There is none below 30 years of age. The ageclass above 60 constitute some 39 % of the HHH among the women, with the ageclass 30-45 years comprise 35 %. See Table 17.

Table17: Households headed by women, Classified by Age and Commune

Distrit/Commune		No. Female HHHs	Average age of female HHHs	Classified by Age (Person)			
				<30 age	30 - 45	40 - 60	≥60 age
Khánh Hòa Subproject		23	51	0	8	6	9
%		100		0	35	26	39
PR 2		9	65	0	0	2	7
Diên Khánh District	Diên Thọ Commune	9	65			2	7
PR 9		14		0	8	4	2
Khánh Sơn District	Ba Cụt Bắc Commune	13	44	0	7	4	2
	Tô Hạp Town	1	34	0	1	0	0

For the households headed by females, the main occupation is farming, some 48 % of the population of 23 HHHs. Some 17 % combine farming with trading. There are 3 HHHs which combine farming with being government employees. See Table 18 for further details.

During the preparation of this RP, consultation meetings were carried out to identify their resettlement needs and preferences as well as discussions were held with local authorities. Results of survey showed that gender differentiation in living standards between households headed by men and by women is not significant (see Table 19 below). Though the female HHHs get higher income, female headed households are still more vulnerable to any risks associated with land acquisition than male headed ones.

During construction, local women's union will ensure that the contractors are in compliance and that any specific needs or requests of the female headed households are properly addressed.

Table 18: Main Occupation of Female HHHs, Classified by Commune

District/Commune		Total No. Female HHHs	Total members	Occupation of Female HHHs												
				1) Government Employee	2) Retired	3) Small scale industry	4) Farmer	5) Teacher	6) Trader	7) Farming + trading (Main+secondary)	8) Trading + Farming (Main+secondary)	8) Government Employee + farming (Main+secondary))	9) Teacher + farming (Main+secondary)	10) Unemployment	11) Specially supported	12) Other
Khánh Hòa Subproject		23	76	1	0	0	11	1	1	4	1	3	1	0	0	0
%		100		4	0	0	48	4	4	17	4	13	4	0	0	0
PR 2		9	28	0	0	0	6	1	1	1	0	0	0	0	0	0
Diên Khánh District	Diên Thọ Commune	9	28				6	1	1	1						
PR 9		14	48	1	0	0	5	0	0	3	1	3	1	0	0	0
Khánh Sơn District	Ba Cụt Bắc Commune	13	43	1			5			3	1	3				
	Tô Hạp Town	1	5										1			

■ **Education**

The results of socio-economic survey showed that, in the affected communes, there is no gender discrimination in schooling or education. All school-aged boys and girls of affected HHs go to school. However, previously the women were disadvantaged in the education sector, compared to the males. According to the Province Officer, women above 30 years of age, have less education as compared to the young generation. This is why the academic level on average is higher among men than women. The achieved average grade for all HHs in Subproject No 9 is 8.75.

■ **Division of Labour**

According to the results of Focus Group Discussions with women, no gender discrimination in employment opportunities exist. Males and females are more or less equal to each other in this respect. Women also receive an equal income. However, some gender differentiation still exists in labour divisions. According to the people met, women used to be responsible for transporting agricultural products. At home, the most household works are done by women. That is why all the people consulted, both men and women, consider that the project road improvement will benefit greatly to women. They said that the improved road could reduce the burden of their housework as there will be less dirty clothes to wash and less dust in the house that require cleaning. Women and children health problems associated with poor road conditions would certainly be reduced. The reduced living costs plus possible improved local market prices will allow women to get more affordable food which will improve the diet for the HH members.

■ **Income**

The average per capital income in the project area is 555,000 VND per month for women in households headed by women and 743,000 VND for men in HHs headed by men. This is rather uniform, except that in Dien Tho Commune, the men on average earn twice as much than the women of this category. See Table 19 below.

Table 19: Monthly Income of Household members Classified by Gender

Unit: 1,000VND/person/month

Province	Total No. of surveyed AHHs	Total No. of surveyed persons	Monthly income of generating member			Average income per capita
			Average	Male labour	Female labour	
Khanh Hoa Province	14	60	690.0	824.2	555.0	483.0
PR 2/ Diên Thọ Commune	2	9	1,225.0	1,233.3	600.0	544.4
PR 9	12	51	633.7	747.5	550.9	472.2
Ba Cụt Bắc Commune	10	40	690.0	771.4	622.9	534.8
Tô Hạp Town	2	11	384.3	580.0	306.0	244.5

Nonetheless, for ensuring gender equality, during resettlement implementation attention has been made to involve women participation in all related resettlement activities, such as information meetings, public consultations. Also, the project will ensure that the women are guaranteed that compensation payments will be paid at their full awareness and control.

■ **Gender Strategy**

The following points will be part of the gender strategy for the project:

General measures

- Joint registration of land-use rights in the names of both husband and wife in instances where households are allocated alternative forestry, agriculture and/or residential land.
- Presence of women at the time of compensation payment. Husband and wife will jointly receive compensation payment from RC and local PPMU.
- Attention to complaints and grievances made by women.
- Disaggregated monitoring indicators by gender and for various ethnic groups will be developed for the centralized resettlement/social management system.
- Focus group meetings with the female HHH to follow up resettlement and compensation activities.

8.3.7 Ethnic Minority Groups

According to DMS and census data, there are 33 HH, some 32 % of the APs, belonging to the Rag Lai ethnic group. All of them are located in the Khanh Son District, in the Ba Cum Bac Commune and the To Hap Town.

This section of Ethnic Minority of the RP is mainly focused on resettlement issues related to ethnic minorities. The objective is to highlight the land acquisition and resettlement impacts on them and compensation and assistance policy applied for ethnic minority, and aimed to ensure that the ethnic minority are treated in equitable ways, with full respect to their cultures and customs. This includes the notion that they would not be worse off, but rather better off, with the project than without it.

■ **Population**

The surveyed Gag Lai population has an average age of 32 years and 58 % of them are below the age of 30. It is thus a young population. Those above 60 years of age comprise 12 % of the surveyed population.

Table 20: Age composition of surveyed Population of Ethnic Groups

Province	Total surveyed population / 100% Rag Lai EM (person)	Average age of Rag Lai Pop	Age composition of Rag Lai group (%)				
			< 17	18-30	31-50	51-60	>60
Khánh Hòa Subproject	33	31.5	27.3	30.3	18.2	12.1	12.1
Provincial road No. 9	33	31.5	27.3	30.3	18.2	12.1	12.1
Khánh Sơn District	33	31.5	27.3	30.3	18.2	12.1	12.1
Tô Hạp Town	7	20.4	57.1	14.3	28.6	0.0	0.0
Ba Cùm Bắc Commune	26	34.5	19.2	34.6	15.4	15.4	15.4

■ **Education**

Historically most of the ethnic minorities APs were less educated and poorer than Kinh. The level of education, income and living standards of ethnic minorities has been improved radically. However, there is still certain difference in education level between ethnic

minorities, and Vietnamese, but the gap is now reducing. Among the Rag Lai surveyed population, the academic levels of men and women are not much different. Compared to the Kinh ethnic group, the Rag Lai has an average of 5.8, with the Kinh ethnic group having an average academic level of 7.6. See Table 21 below.

Table 21: Academic Level of surveyed Population Disaggregated by Ethnic Groups

Subproject	Average academic level of HH	Average academic level of HH's member	By ethnic group and gender (grade)			
			K inh group	Rag Lai group		
				Average	Male	Female
Provincial road No. 9	8.75	6.85	7.6	5.8	5.9	5.7
Total	8.75	6.85	7.6	5.8	5.9	5.7

■ **Employment and Income**

Virtually all of the Rag Lay group surveyed are farmers with one person being government employee, in Ba Cum Bac Commune.

Table 22: Main and secondary occupation of Ethnic minority HH's members

Unit: %

Sub-project/ Location	No. of income generating members	State employment	Agriculture	Other
Provincial road No. 9	24	4.20	95.80	0.0
Khánh Sơn Dist.	24	4.20	95.80	0.0
Tô Hạp town	2	0.0	100.0	0.0
Ba Cùm Bắc Commune	22	4.5	95.5	0.0

The average per capita income of ethnic minority is lower than the one of the Kinh. As said before, ethnic minority APs are more involved in agriculture where incomes are lower while Kinh are more involved in higher income activities. None of EM or Kinh are considered poor. See Table 23.

Table 23: Distribution of Households by Income Group and by Ethnic Groups

Ethnic groups	Total surveyed HH (HH)	Average monthly income (1000VND/pers)	Distribution by income group (%) 1,000 VND/person				
			<= 220	221 - 400	401 - 700	700 - 1000	>1000
	12	755,406	0	2	3	5	2
Kinh	5	1,039,366	0	0	12.5	62.5	25
Rag Lai EM	7	471,445	0	58.33	16.67	25	0

■ **Living Conditions**

■ **Impacts**

Local EM highly support the project because it is of their long wish and they believe the improved road will positively, radically improve their living and economic conditions. According to them, the proposed road improvement can contribute to better conditions for communication and exchange of goods. The proposed road improvement would encourage the farmers to diversify agricultural production and non-farm economic activities in the localities.

Specific actions

Members of the ethnic groups are generally poorer and have lower living conditions than other APs. However, they will be not more disadvantaged than the rest of the population and would not be more adversely affected by the Project. APs belong to ethnic group, alongside the road, just like the majority Kinh, are primarily farmers and will benefit from increased trade and economic growth alongside the project area.

To improve project benefits to Ethnic Minority, an Ethnic Minority Development Plan has been prepared for this project. However, some specific actions are indicated below to ensure ethnic minority inclusiveness during the next steps of the project resettlement implementation (compensation, clearance of land and monitoring):

- Compensation for ethnic minorities will be carried out with respect for their language, cultural values and specific needs.
- All forms of information dissemination (pamphlets, posters, announcements, public meetings) will be delivered in Kinh and local ethnic languages where required.
- Relocation, reorganization and rehabilitation of incomes of EM will have to take into account their specific needs and values if any. The local national front will assist them during reorganization and during any negotiation with contractors.
- Income restoration strategies are not an anticipated requirement but should income restoration strategies be needed, options will address vulnerable groups including ethnic minorities and women.
- Specific attention will be paid to complaints and grievances made by ethnic minority households.
- Monitoring and evaluation indicators (see table 5) is disaggregated by ethnic groups

8.4 RESULTS OF DETAILED MEASUREMENT SURVEY (DMS)

DMS was conducted during January and February, 2009. In Khan Hoa Province, land acquisition will affect 104 HHs and 3 public properties. Total land acquired for individual HHs is 14,028.5 m², with temporary land acquisition amounting to 2,002.8 m². Most of the land acquisition will be in the Khan Son District, in the Ba Cum Bac Commune and the To Hap town. There are three public properties being affected, but to a very limited extent. The total land acquired from those is 25.5 m², with 484.6 m² temporary acquired. See Table 24 and 25 below.

Table 24: Summary of Affected People

Sub-project	Total impacts			Affected Households		Affected Public Assets/Gov. Properties(*)		
	Total No. of APs	Total land acquired (m2)	Total land temporarily acquired (m2)	(HH)	Total land acquired (m2)	(Unit)	Total land acquired (m2)	Total land temporarily acquired (m2)
Khánh Hoà Province	107	14,568.1	2,002.8	104	14,028.5	3	25.5	484.6
Sub-project PR 2	25	539.6	2,002.8	24	0.0	1	20.1	484.6
Diên Khánh District								
1. Diên Thọ Commune	25	539.6	2,002.8	24		1	20.1	484.6
Sub-project PR 9	82	14,028.5	0.0	80	14,028.5	2	5.4	0.0
District Khánh Sơn								
1. Ba Cạm Bắc Commune	71	5,703.7		70	5,703.7	1		
2. Tô Hạp Town	11	8,324.8		10	8,324.8	1	5.4	

* Regarding to the Public Assets/Gov. Properties: Only structures are compensated

Table 25: Summary of Affected Assets
(Taking into account of Household only i.e no Public assets)

Unit: Household

Location	Total No. of AHHs [1]	Residential land	Business places	Annual crop land	Homestead agr. land	Forest land	Homestead Garden/pond	Dwellings	Secondary structure+ other structure	Crops	Industrial trees	Fruit trees	Tree for timber	Other
Khánh Hoà Province	104	7	0	22	22	6	13	1	35	12	16	32	8	24
Sub-project PR 2	24	0	0	7	0	0	13	0	5	0	0	5	3	3
Diên Khánh District														
1. Diên Thọ Commune	24			7			13		5			5	3	3
Sub-project PR 9	80	7	0	15	22	6	0	1	30	12	16	27	5	21
District Khánh Sơn														
1. Ba Cạm Bắc Commune	70	5		14	20	3		1	29	11	15	19	3	20
2. Tô Hạp Town	10	2		1	2	3			1	1	1	8	2	1

8.4.1 Land Acquisition

Khanh Hoa Subprojects will acquire from individual HHs 16,570.9 m² of land, of which 14,568.1 m² will be a permanent loss and the remaining 2,002.8 m² will be a temporary loss. All AHHs have legal/legalizable rights on their land. The acquired land includes resident land, garden land, agricultural and forest land. See Tables 26 below.

Table 26: Scope of Land Acquisition
(Taking into account of Household only i.e no Public assets)

Province	Residential land	Business places	Annual crop land	Homestead agri. land	Forest land	Homestead garden and pond	Total permanent acquisition	Total temporary acquisition
Khanh Hoa Prov.	361.6	0	4,937.3	2,972.2	6,117	180	14,568.1	2,002.8
PR 2			359.6			180	539.6	2,002.8
Dien Khanh Dist.								
1. Diên Thọ commune			359.6			180	539.6	2,002.8
PR 9	361.6	0	4577.7	2972.2	6,117	0	14,028.5	0
Khanh Son Dist								
1. Ba Cùm Bắc commuen	52.5		3287.7	1681.8	681.7		5,703.7	
2. Tô Hạp Commune	309.1		1290	1290.4	5,435.3		8,324.8	

8.4.1.1 Impact on Productive Land:

The project acquires agricultural land. Of the total of the some 14,600 m2 permanently acquired, 4, 937.3 is agricultural land, belonging to 22 HHs. Forest land, taken out of production, amount to 6,117 m2.

8.4.1.2 Impact on Dwelling Land

■ Residential Land

In general, residential land is lightly affected. The area acquired permanently is 361.6 m2, belonging to seven HHs.

■ Garden land

As mentioned above, there are 7 households losing their garden land and pond attached to the homestead of 180 m².

8.4.2 Loss of Crops

All affected crops, irrespectively to legality of affected land, will be entitled for compensation. It includes compensation for crops growing on agricultural land impacted both permanently as well as those affected crops cultivated on public land within ROW area (such land is not compensated). Total loss of crops will affect 13 HHs and an area of 4,002.3 m2 plus some 30 m3 of vegetables. The losses are mainly in Ba Cum Bac Commune. The largest crop loss is for Cassava, amounting to 2,393.9 m2 and rice, amounting to 1,608.4 m2. See Table 27 below.

Table 27: Loss of Crops
(Taking into account of Household only i.e no Public/Gov. assets)

Items	Unit	PR 2		PR 9					
		Diên Khánh Commune		Ba Cùm Bắc Commune		Tô Hạp Town		Total	
		HH	Quantity	HH	Quantity	HH	Quantity	HH	Quantity
Rice	m2			8	1,608.4			8	1,608.4
Cassava	m2			3	1,284	1	1,110	4	2,393.9
Vegetable	m3			1	30			1	30

8.4.3 Loss of Trees

Affected trees include a wide range of crops such as industrial trees, here defined as coffee, cashew nuts, pepper and sugarcane. Other categories used here are fruit trees and trees for timber.

The number of HHs losing a specific tree is quite low, in the range 1 to 6, except a few cases such as sugarcane, which will affect 13 HHs or babana, which will affect 14 HHs. See Table 28 for further details.

Table 28: Loss of Trees and Tree Fences
(Taking into account of Household only i.e no Public/Gov. assets)

Types	Unit	PR 2				PR 9				Total Subproject	
		Diên Khánh Commune		Ba Cụt Bắc Commune		Tô Hạp Town		Total PR 9		HHs	Quantity
		HHs	Qunty	HHs	Qunty	HHs	Qunty	HHs	Qunty		
Industrial trees											
Coffee	Unit			1	25	1	208	2	233	2	233
Cashew	Unit			1	1			1	1	1	1
Pepper	Unit			1	3			1	3	1	3
Sugar-cane	m2			13	2645,9			13	2645,9	13	2645,9
Fruit trees											
Lemon	Unit										
Papaya	Unit	2	2							2	2
Coconut	Unit	1	1	2	4	1	1	3	5	4	6
Durian	Unit			6	55			6	55	6	55
Plum	Unit	1	2	1	1			1	1	2	3
Custard apple	Unit			3	6			3	6	3	6
Avocado	Unit			1	1			1	1	1	1
Guava	Unit	1	1	6	18	1	1	7	19	8	20
Peach	Unit	1	1	1	1	1	3	2	4	3	5
Tamarind	Unit					1	2	1	2	1	2
Apple	Unit										
Pine apple	Unit			1	10			1	10	1	10
Pomelo (grape fruit)	Unit			1	1			1	1	1	1
Star apple (milk fruit)	Unit	1	5	1	1	1	2	2	3	3	8
Mango	Unit			3	4	1	1	4	5	4	5
Banana	Unit	2	12	9	155	3	1516	12	1671	14	1683
Drangon fruit	Unit			2	13	1	2	3	15	3	15
Rambutan	Unit			2	28			2	28	2	28
Litchi	Unit			2	2			2	2	2	2
Jack fruit	Unit			5	28	2	2	7	30	7	30
Tree for timber										0	0
Eucaliptus	Unit	1	2	2	3	1	141	3	144	4	146

Types	Unit	PR 2				PR 9				Total Subproject	
		Diên Khánh Commune		Ba Cạm Bắc Commune		Tô Hạp Town		Total PR 9			
Acasia	Unit	2	21	1	10	1	22	2	32	4	53
Erythrophleum foddii	Unit										
Other											
Cotton wood	Unit	1	2	1	1			1	1	2	3
Fire flower	Unit	1	1	1	1			1	1	2	2
Dipterocarpus alatus	Unit			1	29			1	29	1	29
Paper flower	Unit			2	7			2	7	2	7
Other decorative trees	Unit	1	9							1	9
Cycad	Unit			1	2			1	2	1	2
Pine apple	m2			1	70			1	70	1	70
Phyllanthus acidus	Unit	1	1			1	1	1	1	2	2
Lagerstroemia	Unit			1	1			1	1	1	1
Milk flower	Unit			1	1			1	1	1	1
Toona surenni	Unit			1	6			1	6	1	6
Muntingia calabura	Unit									0	0
Ô ma	Unit			1	1			1	1	1	1
Areca tree	Unit	1	10							1	10
Bamboo	Unit	1	4								
Green fence	m	1	14,7	12	276,8			12	276,8	13	291,5

8.4.4 Impact on Structures

■ Main houses

Only one HH will have an impact on its house, with the loss of 27.5 m2. Two HHs will lose secondary structures, amounting to 46.5 m2. Four HHs will lose 50.2 m2 of their concrete yard. All in all, the losses for the individual HHs are very limited. Further detailed information is available in Table 29 below.

Table 29: Houses and structures affected
(Taking into account of Households only, i.e no Public/Gov. assets)

Items	Unit	Total Subproject		PR 2		PR 9					
		HH	Qty	Diên Thọ Commune		Ba Cạm Bắc Commune		Tô Hạp Town		Total PR9	
				HH	Qty	HH	Qty	HH	Qty	HH	Qty
House	m2	1	27.5			1	27.5			1	27.5
Secondary structure:											

		Total Subproject		PR 2		PR 9					
				Diên Thọ Commune		Ba Cùm Bắc Commune		Tô Hạp Town		Total PR9	
Frontage roof	m2	2	46.5			2	46.5			2	46.5
Other structure											
Concrete yard	m2	4	50.2			4	50.2			4	50.2
Fence equipped with B40 net, wood	md	11	404.19	5	246.19	5	121	1	37	6	158
Brick block gate	m2	2	10.48	1	7.6			1	2.88	1	2.88
Brick wall	m2	0	0							0	0
Brick wall	m	1	6					1	6	1	6
Brick stair	m3	1	1.92			1	1.92			1	1.92
Iron/steel gate	m2	1	6			1	6			1	6
Concrete slab	m3	22	9.655			22	9.655			22	9.655
Aggregate foundation	m3	1	1.6			1	1.6			1	1.6

■ Loss of secondary Structures

The affected secondary structures include frontage roofs, and other structures such as concrete yards, fences, walls, concrete slabs etc. Losses are minimal as can be seen from Table 29 above.

■ Commercial, business structures

There are no HHs with commercial and business structures that will be affected.

• Loss of Public Assets

A total of three HHs, using Public land, will face some losses as indicated in Table 30 below. The losses are very limited.

Table 30: Loss of Public Assets

Items	Unit	Total Sub-project		PR 2		PR 9					
		HHs	Quanty	Diên Thọ Commune		Ba Cùm Bắc Commune		Tô Hạp Town		Total PR9	
				HHs	Quanty	HHs	Quanty	HHs	Quanty	HHs	Quanty
Total AHHs		3		1		1		1		2	
Land											
Annual crop land (Permanent acquisition)	m2	1	20.10	1	20.10						
Temporary acquisition	m2	1	484.60	1	484.60						
Crop											
Cassava	m2	1	1,420					1	1,420	1	1,420
Other structures											
Well D = 1,6m	m	1	12					1	12	1	12
Concrete yard 3,5*3,5	m2	1	12.25					1	12.25	1	12.25
Concrete slab	m3	1	1,488			1	1,488			1	1,488
Gate	m3	1	4.96			1	4,960			1	4.96
Pond (1,6*2,6*1,3)	m3	1	5.4					1	5.4	1	5.4

8.4.5 Impacts on graves

No case.

9 COMPENSATION AND RESETTLEMENT ISSUES

9.1 OPTIONS AND PREFERENCES FOR COMPENSATION

Since level of resettlement impacts of subprojects in Khanh Hoa Province is not significant, land for land compensation is not an option for households and 100% of households prefer compensation in cash

9.2 SEVERELY AFFECTED HOUSEHOLDS

According to the project compensation policies, severely affected persons are those APs who will (i) lose more than 10 percent of their total agricultural land holding; (ii) relocate and/or lose more than 50 percent of their main residential and/or commercial structure; and/or (iii) lose more than 10 percent of their total income sources due to the Project. The 329 HH affected are only lightly affected. No HHs are affected severely, such as losing more than 10% of agricultural land or business, or more than 10 % of total income. There are no Severely Affected Persons, SAPs, in Khanh Hoa Subproject.

9.2.1 Reorganized Households

There are provincial compensation policies for reorganisation of households, when required. In Khanh Hoa, one AHH has chosen the compensation in cash for a new place..

9.2.2 APs losing agriculture land

All APs losing agriculture land will also receive some income rehabilitation assistance in addition to compensation for land. However, the level of allowance is different among the subprojects depending upon the locations of the affected communes.

9.2.3 APs losing more than 10% of their productive land

There are no households losing 10% or more of their productive land.

9.2.4 Business affected.

There are no affected businesses.

9.3 VERY POOR AND VULNERABLE AFFECTED PEOPLE

Vulnerable AHs are defined as distinct groups of people who might suffer disproportionately from resettlement effects, including (i) those falling below the poverty line as defined by MOLISA, as well as any household earning up to 15 % above the official poverty line; (ii) ethnic minority and other households living in remote, isolated areas or in communes with special difficulties as classified under Programme 135; or (iii) disadvantaged persons or households requiring “social protection” such as landless, disabled, handicapped, orphaned, vagrant, homeless, destitute, or lonely and elderly persons.

This group of APs is entitled to a special allowance or/and an economic rehabilitation package.

Below is an excerpt from the Compensation Matrix, specifically addressing vulnerable households.

Census and DMS show that there are no affected households who belong to the poor and vulnerable households. There are households headed by women but the impacts on their land are not significant. Nevertheless, during construction, the Project will monitor impacts caused during construction activities. Impacts or losses incurred during construction will be compensated for. Special assistance will be given to poor and vulnerable households.

9.4 NON-TITLED APS

All of the affected HHs has legal/legalizable rights to their affected land and other assets.

9.5 RESETTLEMENT COST

The compensation costing is based on:

- Approved Project Compensation Policy
- Cadastral measurement and DMS data.
- Decision No 370/QD-BGRVT, issued by MoT, 15 February, 2008 approving investment for PR2 and PR9 in Khanh Hoa province under the Central Region Transport Network Improvement Transport Sector Project (ADB5)
- Decision No 02/2007/QD-UBND, issued by Khanh Hoa PPC, 15 January, 2007 regulating policies for compensation, assistances and resettlement when the State recover land in Khanh Hoa province.
- Decision No 62/QD-UBND, issued by Khanh Hoa PPC, 18 August 2005, regulations of prices for various equipments: Electricity, telephone, clean water, TV cable in Khanh Hoa province.
- Decision No 32/QD-UBND, issued by Khanh Hoa PPC, 23 June, 2008, regulating policies for structures acquisition for Subprojects.
- Decision No 39/2008/QD-UBND, issued by Khanh Hoa PPC, dated 03 July 2008 on regulations of prices for various categories of trees within Khanh Hoa province.
- Decision No 90/2008/QD-UBND, issued by Khanh Hoa PPC, dated 23 December 2008 on regulations of prices for various categories of land within Khanh Hoa province.
- Notice No 193/TB-UBND, issued by Khanh Hoa PPC, dated 15 May 2008 regarding resettlement for subproject.
- Based on the map for current status of land (scale 1/1000) certified by Khanh Hoa Land Survey Dept. on 21 December 2008
- Decision No 371/QD-UBND, issued by Khanh Hoa PPC, dated 17 February 2009 on regulations of prices for various categories of affected business due to temporary acquisition for construction of inter-commune feeding canal of Diên Sơn, Diên Điền, Diên Phú commune - Diên Khánh district
- Decision No 460/QD-UBND, issued by Khanh Hoa PPC, 26 February, 2009 regarding addendum/revision of Item 3, clause 12 which was attached to the Decision No 02/2007/QD-UBND, issued by Khanh Hoa PPC, 15 January, 2007 regulating policies for compensation, assistances and resettlement when the State recover land in Khanh Hoa province.
- Decision No 233/QD-UBND, issued by Dien Khanh DPC, dated 28 April 2009 regarding to the approval of Overall Resettlement Plan including compensation, assistance for PR2, PR9, section through Dien Tho Commuen, Dien Khanh District.

- Decision No 687/QĐ-UBND, issued by Khanh Son DPC, dated 31 December 2009 regarding to the approval of Overall Resettlement Plan for PR 9 subproject (from Km16+000 to Km38+000) and three bridges namely Tha Mang, C10 và A Pa Bưởi located at Ba Cùm Bắc Commune, Tô Hạp Town, Sơn Hiệp Commune, Khánh Sơn District

The results of the Replacement cost assessment showed as follows:

- Compensation rates for agricultural land indicates that it reflects or is even higher than their market prices,
- Compensation rates for residential land and attached garden land was found to reflect or even higher than their market price.
- Unit rates for trees and crops are generally reflecting their replacement costs
- For crops, prices were also close to current market rates. It should be noted that APs will be allowed to continue to cultivate in temporary acquisitioned land and the clear area within the RoW (1.5 m from the toe of the embankment).

RCS Approach and Methodology

1. Methodology

- a) To survey, collect and record the successful transaction of the local people in the district regarding houses, land, trees, crops, etc.
- b) To interview the local people in the district on compensation items that has not been transacted in the market.

Noting: Some other local people will also be interviewed to collect opinions to check whether they are paid the same rate and compensation policy outlined in the PPC approved Options.

2. Survey quantity

- a) House: 02-03 households
- b) Residential land: 02-03 households
- c) Some types of trees according to the list to be compensated of the district 03-04 types.

3. Surveyor

- a) Resettlement Officer of the District will survey and sign the survey result table
- b) Respondent (all affected person) must have sufficient information as per format/tables: Full name, Residence, Identity Card Number (if any)

REPORT ON REPLACEMENT COST SURVEY RESULT IN KHANH SON DISTRICT (PR9)

Sub-project/ Location	Type of Land / Houses and Assets	PPC rates as PPC Decision 90/2008/QĐ -UBND dated 23/12/2008	Replacem ent Cost Survey	Project Rates Applied	No.of HHs interviewed (within the commune)		
					AP	Resident	Others
I/ PR 9							
1. Khánh Sơn District							
1.1. Ba Cụm Bắc Commune	Residential	60,000	60,000	60,000	Nguyễn Văn Vĩnh - The Seller	Nguyễn Văn Sang - The buyer	
	Agriculture	10,500	10,000	10,500	Nguyễn Văn Tâm – The Seller	Nguyễn Văn Cừ - The Seller	
	Homestead	19.500	19.000	19.500	Bô Bô Chương - The Seller	Ngô Ngọc Phong - The Buyer	
	Forest land	3,000	3,000	3,000	Bô Bô Giếng - The Seller	Nguyễn Văn Hải - The buyer	
	House grade 4	857,000	850,000	857,000	No market prices. The APs agreed with compensated price and consider the compensation should be enough for rebuilding new house (replacement cost is the building cost)		
	B40 fence	98,000	90,000	98,000	The APs fully agreed with compensated price and consider the compensation should be enough for rebuilding new fence (replacement cost is the building cost)		
	Concrete courtyard	63,000	60,000	63,000	The APs fully agreed with compensated price and consider the compensation should be enough for rebuilding new yard (replacement cost is the building cost)		
	Steel gate	616,000	600,000	616,000	The APs fully agreed with compensated price and consider the compensation should be enough for rebuilding new structure (replacement cost is the building cost)		
	Durian tree 3 years old	80,000	75,000	80,000		Mẫu Biển - The Seller	
	Coconut tree 2 years old	60,000	58,000	60,000	Cao Lượng		
	Persea Americana tree with fruit	140,000		140,000	The APs fully agree with applied compensation rate		
	Mango tree with fruit	1,200,000		1,200,000	The APs fully agree with applied compensation rate		
	Annona	150,000		150,000	The APs fully agree with applied compensation rate		
	1.2. Tô Hạp Town	Agricultural Land	10,500	10,500	10,500	Cao Xuân Trọng – The Seller	Nguyễn Văn Phú Bình - The buyer
Homestead		30,000	30,000	30,000	Cao Diên – The Seller	Lê Thị Hoa - The buyer	
Forest land		3,000	3,000	3,000	Lê Văn Tảo – The seller	Cao Hành – The seller	

Sub-project/ Location	Type of Land / Houses and Assets	PPC rates as PPC Decision 90/2008/QĐ -UBND dated 23/12/2008	Replacem ent Cost Survey	Project Rates Applied	No. of HHs interviewed (within the commune)		
					AP	Resident	Others
	Residential	180,000	175,000	180,000	Đào Văn Được - The Seller	Nguyễn Văn Sáu - The buyer	
	Sugarcane	10,000	10,000	10,000		Cao Thanh Đưa - The Seller	
	Lemon tree	140,000	120,000	140,000		Hồ Ngọc Đình - The Seller	
	House Grade 4	1,001,000		1,001,000	No market prices. The APs agreed with compensated price and consider the compensation should be enough for rebuilding new house		
	Concrete slab (m3) with reinforced steel bar	3,443,000		3,443,000	No market prices. The APs agreed with compensated price and consider the compensation should be enough for building new structure		

Khánh Hòa, 09 December 2008

Surveyor

Survey Team Leader

Phạm Văn Phương

Lê Đức Huân

REPORT ON REPLACEMENT COST SURVEY RESULT IN DIEN KHANH DISTRICT (PR2)

Sub-project/ Location	Type of Land / Houses and Assets	PPC rates as PPC Decision 90/2008/QĐ -UBND dated 23/12/2008	Replacem ent Cost Survey	Project Rates Applied	No.of HHs interviewed (within the commune)		
					AP	Resident	Other
II. PR 2							
1. Diên Khánh District							
1.1. Diên Thọ Commune	Residential	150,000	150,000	150,000	Trương Lộc - The Seller	Đỗ Thế Năng - The buyer	
	Homestead	75,000	75,000	75,000	Trần Thị Cẩm - The Seller	Nguyễn Ngọc Phát - The Buyer	
	Land for annual tree	27,000	25,000	27,000	Nguyễn Thị Lý - The Seller	Nguyễn Thọ - The buyer	
	B40 fence	98,000	90,000	98,000	No market prices. The APs agreed with compensated price and consider the compensation should be enough for rebuilding new structure.		
	Chrysophyllum cainito tree 1-3 year old	25,000	25,000	25,000		Hàng Đức Nguyễn - The Seller	
	Areca tree	70,000	70,000	70,000		Trần Thị Bích Liên - The Seller	
	Banana	60,000	50,000	60,000		Vũ Thị Sâm - The Seller	
	Cashew	250,000	230,000	250,000		Cao Vĩnh Tường - The Seller	
	Ceiba pentandra tree	45,000	45,000	45,000		Trần Quang Trung - The Seller	

Khánh Hòa, 05 December 2008

Surveyor

Survey Team Leader

Phạm Văn Phương

Lê Đức Huân

9.5.1 Compensation for Affected Households

Compensation for affected households includes productive land, residential land, crops and trees and structures are based upon the Decrees of the Government of Vietnam and the Province of Khanh Hoa Decrees. This is further elaborated in Section 3 in this RP.

9.5.1.1 Land Compensation.

For land, unit rate varies by grade and location of land. All 14,568.1 m² of permanently acquired land costs VND 138,930,150 as a basic compensation. This includes compensation for permanently loss of land and compensation for temporarily loss of land. Details on compensation cost for affected land by land types and by subproject are given in Table 32.

Table 32: Compensation Costs for Land
(Taking into account of Household only i.e no Public/Gov. assets)

Type	Total Subproject		PR 2		PR 9					
	Qunty m2	Amount	Diên Thọ Commune	Qunty m2	Amount	Ba Cùm Bắc Commune	Tô Hạp Town	Qunty m2	Amount	Total PR9
	Qunty m2	Amount	Qunty m2	Amount	Qunty m2	Amount	Qunty m2	Amount	Qunty m2	Amount
Land compensation	14,568.1	138,930,150	539.6	23,209,200	5,703.7	57,374,850	8,324.8	58,346,100	1,4028.5	115,720,950
Resid. land	361.6	18,096,000			52.5	3,150,000	309.1	14,946,000	362	18,096,000
Annual crop land	4,937.3	57,775,050	359.6	9,709,200	3,287.7	34,520,850	1,290	13,545,000	4,578	48,065,850
Homestead agricultural land	2,972.2	31,208,100			1,681.8	17,658,900	1,290.4	13,549,200	2,972	31,208,100
Forest land	6,117	18,351,000			681.7	2,045,100	5,435.3	16,305,900	6,117	18,351,000
Garden and pond adjacent	180	13,500,000	180	13,500,000					0	0
Paper/Administration fee.	0	0							0	0
Rehabilitaion Allowance*	0	76,583,916		2,457,636		74,060,280		66,000	0	74,126,280
Total (VND)		215,514,066		25,666,836		131,435,130		58,412,100		189,847,230
Total USD		12,677		1,510		7,731		3,436		11,167

(*): Assistance for all permanent acquisition of agricultural land (PR 9) and all temporary acquisition of rice field (PR 2)

9.5.1.2 Compensation for crops and trees

Total compensation cost for crops and trees is VND 169,338,300 or 9,961 USD. The single largest compensation is for fruit trees, amounting to VND 112,087,000. See Table 33 for details.

Table 33: Compensation Costs for Crops and Trees
(Taking into account of Household only i.e no Public/Gov. assets)

Crops/trees	Unit	Total subproject			PR 2			PR 9								
					Diên Thọ Commune			Ba Cụt Bắc Commune			Tô Hạp Town			Total PR9		
		HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount
Crops				9,793,000						7,573,200			2,219,800			9,793,000
Rice	m2	8	1,608.4	4,825,200				8	1,608.4	4,825,200				8	1,608.4	4,825,200
Cassava	m2	4	2,393.9	4,787,800				3	1,284	2,568,000	1	1,110	2,219,800	4	2,393.9	4,787,800
Vegetables	m3	1	30	180,000				1	30	180,000				1	30	180,000
Industrial trees				35,529,000						30,849,000			4,680,000			35,529,000
Coffee	Unit	2	233	8,430,000				1	25	3,750,000	1	208	4,680,000	2	233	8,430,000
Cashew	Unit	1	1	250,000				1	1	250,000				1	1	250,000
Pepper	Unit	1	3	390,000				1	3	390,000				1	3	390,000
Sugar-cane	m2	13	2,45.9	26,459,000				13	2,645.9	26,459,000				13	2,645.9	26,459,000
Fruit tree				112,087,000			2,415,000			21,532,000			8,8140,000			109,672,000
Lemon	Unit	0	0	0										0	0	0
Papaya	Unit	2	2	100,000	2	2	100,000							0	0	0
Coconut	Unit	4	6	1,080,000	1	1	300,000	2	4	480,000	1	1	300,000	3	5	780,000
Durian	Unit	6	55	4,750,000				6	55	4,750,000				6	55	4,750,000
Mận-Plum	Unit	2	3	280,000	1	2	160,000	1	1	120,000				1	1	120,000
Custard apple	Unit	3	6	900,000				3	6	900,000				3	6	900,000
Avocado	Unit	1	1	140,000				1	1	140,000				1	1	140,000
Guava	Unit	8	20	785,000	1	1	60,000	6	18	685,000	1	1	40,000	7	19	725,000
Peach	Unit	3	5	930,000	1	1	250,000	1	1	140,000	1	3	540,000	2	4	680,000
Tamarind	Unit	1	2	320,000							1	2	320,000	1	2	320,000
Apple	Unit	0	0	0										0	0	0
Pine apple	Unit	1	10	75,000				1	10	75,000				1	10	75,000
Pomelo (grape fruit)	Unit	1	1	80,000				1	1	80,000				1	1	80,000
Star apple (milk fruit)	Unit	3	8	1,185,000	1	5	825,000	1	1	200,000	1	2	160,000	2	3	360,000

Crops/trees	Unit	Total subproject			PR 2			PR 9								
					Diên Thọ Commune			Ba Cụt Bắc Commune			Tô Hạp Town			Total PR9		
		HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount
Mango	Unit	4	5	4,000,000				3	4	3,200,000	1	1	800,000	4	5	4,000,000
Banana	Unit	14	1,683	92,712,000	2	12	720,000	9	155	6,672,000	3	1516	85,320,000	12	1,671	91,992,000
Drangon fruit	Unit	3	15	820,000				2	13	660,000	1	2	160,000	3	15	820,000
Rambutan	Unit	2	28	1,120,000				2	28	1,120,000				2	28	1120,000
Litchi	Unit	2	2	300,000				2	2	300,000				2	2	300,000
Jack fruit	Unit	7	30	2,510,000				5	28	2,010,000	2	2	500,000	7	30	2,510,000
Tree for timber				1,982,600			530,000			160,200			1,292,400			1,452,600
Eucaliptus	Unit	4	146	1,169,400	1	2	120,000	2	3	34,200	1	141	1,015,200	3	144	1,049,400
Acasia	Unit	4	53	813,200	2	21	410,000	1	10	126,000	1	22	277,200	2	32	403,200
Erythrophleum foddii	Unit	0	0	0										0	0	0
Others				9,946,700			1,765,400			8,121,300			60,000			8,181,300
Cotton wood	Unit	2	3	130,000	1	2	90,000	1	1	40,000				1	1	40,000
Fire flower	Unit	2	2	70,000	1	1	40,000	1	1	30,000				1	1	30,000
Dipterocarpus alatus	Unit	1	29	2,908,700				1	29	2,908,700				1	29	2,908,700
Paper flower	Unit	2	7	140,000				2	7	140,000				2	7	140,000
Cycad	Unit	1	2	140,000				1	2	140,000				1	2	140,000
Decorative trees	Unit	1	9	200,000	1	9	200,000									
Pineapple	m2	1	70	525,000				1	70	525,000				1	70	525,000
Phyllanthus acidus	Unit	2	2	120,000	1	1	60,000				1	1	60,000	1	1	60,000
Lagerstroemia	Unit	1	1	50,000				1	1	50,000				1	1	50,000
Milk flower	Unit	1	1	20,000				1	1	20,000				1	1	20,000
Toona surenni	Unit	1	6	75,600				1	6	75,600				1	6	75,600
Muntingia calabura	Unit	0	0	0										0	0	0
Ô ma	Unit	1	1	40,000				1	1	40,000				1	1	40,000
Green fence	m	13	291.5	4,547,400	1	14.7	395,400	12	276.8	4,152,000				12	276.8	4,152,000
Areca tree	Unit	1	10	700,000	1	10	700,000									

Crops/trees	Unit	Total subproject			PR 2			PR 9								
					Diên Thọ Commune			Ba Cạm Bắc Commune			Tô Hạp Town			Total PR9		
		HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount	HH	Qunty	Amount
Bamboo	Unit	1	4	280,000	1	4	280,000									
Total	VNĐ	0	0	169,338,300			4,710,400			68,235,700	0		96,392,200	0		164,627,900
	USD	0	0	9,961			277			4,014			5,670			9,684

9.5.1.3 Compensation for houses and secondary structure

The compensation cost for houses and structures affected by Subproject Khanh Hoa Province is VND 121,419,028 including VND 23,567,500 for only one main house; VND 8,742,000 for secondary structures such as breeding sheds and other structures. Table 34 below summarizes these costs by type of structures and communes.

Table 34: Compensation Costs for houses, Secondary Structures and Graves
(Taking into account of Household only i.e no Public/Gov. assets)

Items		Total Subproject		PR 2		PR 9					
				Diên Thọ		Ba Cụt Bắc		Tô Hạp Town		Total PR9	
		Qty	Amount (VND)	Qty	Amount (VND)	Qty	Amount (VND)	Qty	Amount (VND)	Qty	Amount (VND)
House	m2	27.5	23,567,500			28	23,567,500			28	23,567,500
Secondary structure:			8,742,000				8,742,000				8,742,000
Frontage roof	m2	46.5	8,742,000			47	8,742,000			47	8,742,000
Other structure			89,109,528		25,964,220	190	52,583,895		10,561,413		63,145,308
Concrete yard	m2	50.2	3,162,600			50	3,162,600			50	3,162,600
Fence equipped with B40 net, wood	md	404.19	33,805,003	246	21,282,620	121	9,069,050	37	3,453,333	158	12,522,383
Brick block wall	m2	10.48	6,455,680	8	4,681,600			3	1,774,080	3	1,774,080
Brick wall	m	6	5,334,000					6	5,334,000	6	5,334,000
Brick stair	m3	1.92	2,561,280			2	2,561,280			2	2,561,280
Iron gate	m2	6	3,696,000			6	3,696,000			6	3,696,000
Concrete slab	m3	9.655	33,242,165			10	33,242,165			10	33,242,165
Aggregate foundation	m3	1.6	852,800			2	852,800			2	852,800
Brick yard	m2	0	0							0	0
Total			121,419,028		51,928,440		84,893,395		10,561,413		95,454,808

9.5.1.4 Compensation for graves

There are no graves affected.

9.5.2 Compensation for Community/Collective Assets

Table 35: Compensation Costs for community/Collective Assets

Items	PR 2		PR 9		TOTAL	
	Quantity	Amount (VND)	Quantity	Amount (VND)	Quantity	Amount (VND)
Annual crop land (Permanent acquisition)	20.10	542,700			20	542,700
Temporary acquisition	484.60	594,650			485	594,650
Well D = 1,6m			12	1,668,000	12	1,668,000
Concrete yard 3,5*3,5			12.25	771,750	12	771,750
Pond (1,6*2,6*1,3)			5.4	2,419,200	5	2,419,200
Concrete slab			1.488	5,123,184	1	5,123,184
Gate			4.960	7,241,600	5	7,241,600
Cassava			1,420	2,840,000	1,420	2,840,000

Items	PR 2		PR 9		TOTAL	
	Quantity	Amount (VND)	Quantity	Amount (VND)	Quantity	Amount (VND)
Total VND		1,137,350		20,063,734		21,201,084
Total U\$D		67		1,180		1,247

9.5.3 Rehabilitation Assistance

There is no case for SAPs

9.5.4 Summary of Compensation Costs

The project total resettlement implementation cost for the Subprojects in Khanh Hoa Province includes compensation for land, assets, rehabilitation assistances and implementation costs. It is equal to **VND 538,021,928 or U\$ 31,648**. Table 36 below presents a summary of the total resettlement cost of each Subproject in Khanh Hoa Province.

Table 36: Summary of Compensation Costs

	Item	PR 2	PR 9	Total
A	Compensation cost			
1	Total compensation of affected Land	23,209,200	115,720,950	138,930,150
2	Compensation of affected house, structures	25,964,220	95,454,808	121,419,028
3	Compensation of affected trees/crops	4,710,400	164,627,900	169,338,300
4	Rehabilitation assistances (*)	2,457,636	74,126,280	76,583,916
5	Compensation of affected of public assets	1,137,350	20,063,734	21,201,084
	Compensation cost, allowance	57,478,806	469,993,672	527,472,478
B	Implementation costs	1,149,576	9,399,874	10,549,450
	Total VND	58,628,382	479,393,546	538,021,928
	Total U\$D (1U\$ equiv. to 17,000 VND)	3,449	28,200	31,648

(*): Assistances for all permanent acquisition of agricultural land (PR 9) and all temporary acquisition of rice field (PR 2)

9.5.5 Flow of Fund

PMU1 will be responsible for channelling funds for the compensation for land acquisition and resettlement to the PPC in Quang Nam. The PPC will be responsible for or delegate to its lower level for payment directly to APs with respect to affected land, structures, crops and trees.

It is noted that this total cost includes:

- cost for external monitoring paid by PMU1 in the overall budget for the 19 project provinces
- cost for staking out paid by PMU1 from Government counterpart fund as a part of the resettlement budget
- Cost for cadastral measurement paid by PPMU from Government counterpart fund as a part of the resettlement budget.

10 APPENDIX

10.1 IMPLEMENTATION & COLLECTION

Table 3A and 3B summarizes the steps remaining for the implementation of land acquisition, compensation and resettlement activities in Khanh Hoa Subprojects.

Land acquisition and relocation of affected households cannot commence until the updated RP has been reviewed and approved by ADB. The Project will not allow construction activities in a specific district until compensation payment and reorganization have been satisfactorily completed, agreed rehabilitation assistance is in place, and that the specific area is free of all encumbrances.

10.2 PUBLIC INFORMATION BROCHURE

Question 1: What is the Central Region Transport Network Project?

Answer: The Central Region Transport Network Project is financed by the Asian Development Bank (ADB) and the Government of Viet Nam to upgrade provincial and district roads in 10 provinces in the Central Region. The overall objective of the Project is to assist the Government to implement its poverty reduction strategy and to stimulate economic development in poor provinces. The Ministry of Transport (MOT) is the Executing Agency for the Project, with delegated responsibility to Project Management Unit No. 1 (PMU-1).

Question 2: how will the central region transport network project affect the local population?

Answer: The upgrading of provincial and district roads will require some land acquisition along these roads. However, the road design will attempt to avoid or at least to minimize the negative impacts on households and communities. The final road alignments will be selected after public consultations have been carried out.

If land acquisition is necessary, the Project affected people will be properly compensated for their affected land, houses, structures, crops and/or trees. Relocation and income restoration assistance will also be provided to Affected Persons (APs) who will be severely affected by the Project. Details are included in a Resettlement Plan that is available at your commune office. Please also refer to other relevant Public Information Brochures.

Question 3: What is the main objective of resettlement plan?

Answer: The main objective of the Resettlement Plan is to ensure that all Affected Persons will be at least as well-off, if not better-off, than they would have been in the absence of the Project.

Question 4: What if my land is affected by the project?

Answer: If land is available, your affected land will be replaced with land of equal area and productive capacity and at a location suitable and acceptable to you; or if, after being fully informed about your options, you prefer cash, compensation can be paid in cash at replacement value at current market prices, or a compensation partly in cash and partly in land might be possible.

Question 5: Do we need to have a land title in the order to be compensated?

Answer: No, lack of formal legal rights to land does not prevent any Affected Persons (APs) from receiving compensation, allowances and rehabilitation assistance. Those APs who possess a land use rights certificate (LURC) or any other form of written or verbal agreement to utilize the land are entitled

to compensation for the lost land as well as assets on the land. Those APs who do not have legal/legalizable or temporary/lease rights for land will still be compensated for the assets on the land, such as any structures, crops and trees.

Question 6: Is the compensation applied for affected houses and structures?

Answer: Yes. Compensation will be applied for all affected assets including houses, shops and other structures as well as other fixed assets at replacement value at current market prices (including material and labour) without any deductions for building depreciation or salvageable building materials. This will ensure that the Affected Persons are able to reconstruct houses and other structures of better or at least the same quality as before.

Question 7: What about affected crops and trees?

Answer: Affected crops, fruit and timber trees and tree fences will be compensated in cash at current market prices. Compensation for non-harvested crops will be based on the average production in the past 3 years multiplied by current market prices. Compensation for trees will be based on the type, age and productivity of trees. A Replacement Cost Survey will be conducted during detailed design of the Project to establish market prices for compensation. If there are delays in paying compensation, prices will be updated to take inflation into consideration.

Question 8: Besides the compensation, how can the project help?

Answer: In addition to compensation for loss of land and other assets, the Project will provide rehabilitation assistance to eligible Affected Persons (APs) to ensure that their standard of living is maintained or improved after the Project. Eligible APs for rehabilitation assistance include:

Severely affected households: Households that lose more than 10% of their total productive landholdings will receive an economic rehabilitation package consisting of i) a transition subsistence allowance equivalent to 30kg of rice per person per month for six months and ii) income restoration assistance such as agricultural extension assistance to intensify use of existing land, access to existing credit programs or project-related employment.

Households that relocate: Households that must relocate to new residential land will receive a transition subsistence allowance equivalent to 30kg of rice per person per month for six months for during transition; a transportation allowance of between VND 3,000,000 and 5,000,000 in cash or assistance from the District Resettlement Committee; and, an incentive bonus of VND 5,000,000 if APs demolish their affected houses or structures in a timely manner.

Business owners that lose income while they relocate or rebuild their shops/businesses: Households with small, unregistered businesses will receive cash compensation equal to the provincial minimum wage for six months. Owners of registered businesses will receive cash compensation equal to their monthly after-tax revenues for six months.

Employees and hired labourers who lose their jobs: will receive cash compensation for lost salary/wages for each month they cannot work, if the loss is temporary; or, if the loss is permanent, cash compensation equivalent to the provincial minimum wage for six months or cash compensation for remaining contract period whichever is higher.

Very poor households: Households that are not severely affected but whose monthly income is below the poverty level of MOLISA will receive an economic rehabilitation package consisting of a transition subsistence allowance equivalent to 30kg of rice per person per month for six months, and income restoration assistance.

Question 9: does that mean that anybody in our community can claim for compensation?

Answer: No. Entitled Affected Persons (APs) are those persons or households that are surveyed during the detailed measurement survey (DMS) activities. The APs and local authorities will be informed of the cut-off date (the date of DMS) for the sub-project. Anyone moving into the Project area after cut-off date will not be entitled to compensation and assistance under the Project.

Question 10: What if I have been told to move but was not included in the survey?

Answer: During the detailed design of the Project, some minor changes may occur. This could affect the results of original inventory of losses. These APs will be entitled to the same compensation as all other APs. Once the actual position and alignment of the road are known, a detailed measurement survey (DMS) will be conducted in the presence of APs to inventory the losses for compensation and rehabilitation.

Question 11: How will APs be consulted and informed?

Answer: A consultation and public information program will be organized in your commune to ensure that APs receive complete and timely information about the Project. APs will be provided information on project components, impacts, their rights and entitlements, grievance mechanism, rights of participation and consultation, resettlement activities, responsibilities of institutions and implementation schedule. APs will participate in resettlement planning and implementation and they will also be consulted on the following issues: a) resettlement options according to their entitlement, b) training and training preferences in current or new occupations, c) other project aspects.

This program will enable the Project to design the resettlement and rehabilitation program to meet the needs of APs, and help APs to make informed decisions about compensation and relocation. Consultations with APs and local authorities will reduce the potential for conflicts and minimize the risk of project delays, and maximize the economic and social benefits of the Project.

Question 12: If there are any disagreements or problems about land acquisition, compensation or other general disputes during project implementation, do APs have the right to voice their complaints?

Answer: Yes, Affected Persons (APs) can voice their complaints (in verbal or written form) to responsible local authorities and resettlement committees. Their complaints can be filed first at the ward or commune level, and can be elevated to the district and provincial level and taken to district court if the APs are not satisfied with the decision of lower levels. APs will be exempted from all taxes, administrative and legal fees. All complaints of APs on any aspect of land acquisition, compensation, resettlement and implementation will be addressed in a timely and satisfactory manner.

Question 13: as a resident in the project area, how can I help?

Answer: We would like you to participate in all consultation meetings and other project related activities in order to ensure that you are fully informed and consulted. Your active participation during the detailed measurement survey (DMS) and implementation will allow us to determine measures to mitigate impacts, to identify problems or potentials problems and to identify ways of responding immediately to solve these problems.

Question 14: How will you know if the objectives of this project are met?

Answer: PMU-1 will ensure internal monitoring all Project activities. In addition, PMU-1 will engage an independent external monitoring agency to conduct external monitoring of resettlement activities during Project implementation. Every 6 months, the independent monitoring agency will submit a report to PMU-1 and ADB on resettlement implementation progress. A post-resettlement impact evaluation will assess whether negative impacts have been mitigated adequately and pre-project standards of living of APs have been restored as a result of resettlement and the Project.

PROVINCE INFORMATION

The Central Region Transport Network Improvement Sector Project (ADB5) in Khanh Hoa includes the following subprojects:

10.3 CONTACT ADDRESS

Khánh Hòa Provincial People's Committee (PPC)

Telephone: 0583. 822661 Fax: 0583. 821903
Address: No. 01, Trần Phú Street, Nha Trang city, Khánh Hòa province.

Khánh Hòa Provincial Department of Transport (PDOT)

Telephone: 0583. 824270 Fax: 0583. 825970
Address: No. 04, Phan Chu Trinh Street, Nha Trang city, Khánh Hòa Province.

Khánh Hòa Provincial Project Management Unit (PPMU)

Telephone: 0583. 824095 Fax: 0583. 827419
Address: No. 04, Phan Chu Trinh Street, Nha Trang city, Khánh Hòa Province.

Project Management Unit No1 (PMU1) under Ministry of Transport (MOT)

Telephone: 04.68.628.990 Fax: 04.68.628.993
Address: 308 Minh Khai, Hai Bà Trưng District, Hà Nội

Project Management Unit No1 - Branch Office in Central Region

Telephone: 0511.642.242 Fax: 0511.643.611
Address: Floor No4, Transport Projects Building
Road to Tuyen Son Bridge, Hoa Cuong Nam Ward
Hai Chau District, Da Nang city

People Committee of Khánh Sơn

Telephone: 0583. 869226 Fax: 0583. 869179
Address: Tô Hạp Town, Khánh Sơn District, Khánh Hòa Province

People Committee of Diên Khánh

Telephone: 0583. 850210 Fax: 0583. 852167
Address: Diên Khánh Town, Diên Khánh District, Khánh Hòa Province

10.4 CONSULTATION AND DISCLOSURE ACTIVITIES

ID	Commune	Content	Time	Location	Participant	Remark
I	Diên Khánh Dist. - PR2:					
1	Diên Thọ Commune	- To inform APs about Project Compensation Policies; implementation schedule...etc and answer all issues raised by local people on the Project and resettlement issues. - To Consult APs about mitigation of negative affect by subproject as well as environment protection during construction period.	20/05/2008 & 24/04/2009	CPC office	- PMU.1 - PPMU - DPC, DRC - CPC - All APs.	
II	Khánh Sơn Dist. - PR9:					
1	Ba Cạm Bắc Commune	- To inform APs about Project Compensation Policies; implementation schedule...etc and answer all issues raised by local people on the Project and resettlement issues. - To Consult APs about mitigation of negative affect by subproject as well as environment protection during construction period.	21/05/2008 & 25/04/2009	CPC office	- PMU.1 - PPMU - DPC, DRC - CPC - All APs.	
2	Tô Hạp Town		21/05/2008 & 25/04/2009			

Beside above meetings, local authorities have held series of meetings with either individual or group of APs to explain further about the Project Resettlement Policies and response to APs enquiries when APs required